DRUG ABUSE PREVENTION IN AMERICA'S SCHOOLS

HEARING

BEFORE THE

SELECT COMMITTEE ON NARCOTICS ABUSE AND CONTROL HOUSE OF REPRESENTATIVES

ONE HUNDREDTH CONGRESS

FIRST SESSION

TUESDAY, JUNE 9, 1987

Printed for the use of the
Select Committee on Narcotics Abuse and Control

SCNAC-100-1-8

U.S. GOVERNMENT PRINTING OFFICE

78-186 WASHINGTON : 1987

For sale by the Superintendent of Documents, Congressional Sales Office
U.S. Government Printing Office, Washington, DC 20402

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(100th Congress)

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DRUG ABUSE PREVENTION IN AMERICA'S SCHOOLS

TUESDAY, JUNE 9, 1987

HOUSE OF REPRESENTATIVES,
SELECT COMMITTEE ON NARCOTICS ABUSE AND CONTROL,
Washington, DC.

The Select Committee met, pursuant to call, at 9:30 a.m. in room 2261, Rayburn House Office Building, Hon. James H. Scheuer, presiding.

Present: Representatives James H. Scheuer, Frank J. Guarini, Benjamin A. Gilman, Lawrence Coughlin, E. Clay Shaw, Jr., and F. James Sensenbrenner, Jr.

Staff Present: Edward H. Jurith, Staff Director; Elliott A. Brown, Minority Staff Director; George R. Gilbert, Counsel; Barbara A. Stolz, Professional Staff; Rebecca L. Hedlund, Professional Staff; James W. Lawrence, Minority Professional Staff; Deborah E. Bodlander, Minority Professional Staff; John T. Cusack, Consultant; Bob Weiner, Press Officer; and Heide R. Haberlandt, Staff Assistant.

Mr. SCHEUER. The Select Committee on Narcotics Abuse and Control welcomes Education Secretary William Bennett, who will testify about the Department of Education's role in drug abuse education.

Over the past decade, our government has spent vast amounts of money on eradication on the poppy fields of Turkey or wherever, on attempts at interdiction of drugs coming into our country and finally, on prevention, on treatment and education. But education, unfortunately, has always received the short end of the stick.

I've been saying for years and so has Congressman Gilman that the only way to halt the scourge of drug abuse in our country is to turn off the demand. We've spent hundreds of billions of dollars or tens of billions of dollars since this Committee was established a decade or more ago and never have I heard from any law enforcement authority an estimate that we are picking up more than 10 or 15 percent of the drugs that were coming in.

That means that at all times, 85 to 90 percent of the drugs that were put in the pipeline at the other end in the developing world, Asia, Latin America, 85 or 90 percent of those drugs have come through, have crossed our borders and are ending up in the arms of our youth in virtually every city, town and hamlet across the country.

If we could dry up the demand, of course, this supply would dry up too. It is demand driven.

For the first time, a year or two ago, Congressman Gilman and I under the leadership of Congressman Rangel and others, went to the Southwest and interviewed law enforcement officials at the State and local level. Without exception, they were saying for the first time, two years ago, wasn't it, Ben, that turning off demand is the key to a drug free society. That they admitted, as law enforcement officials of first quality of excellence, that we couldn't solve this problem through law enforcement. We cannot solve the problem by decreasing supply. We can only solve the problem through radically decreasing demand.

Let me interrupt my statement for a moment while my colleague from New Jersey sits down and I'd like to explain that I'm substituting for Congressman Rangel because he is attending the funeral of a dear friend this morning. His opening statement will be inserted at this time.

[Opening statement of Mr. Rangel appears on p. 33.]

It pains all of us that the Administration, the President, saw fit to reduce the allocation to drug education by 60%. After having lived with this problem for 15 years, all of us, it's just clear beyond the peer adventure that drug education, changing behavior has to be the focal point of our efforts, not a sterile attempt to do it all by law enforcement, which we know from our experience cannot be done.

And it seems to me a shame that the President, after reaping the public relations benefits of signing an important drug bill last year, should turn around and now try and slash the education component, the key element in the bill by 60 percent, taking our recommendations for expenditures, our authorizations of $250 million and reducing them to 100 million.

Now, we in the House, do not have a monopoly of wisdom. We don't know all the answers. I would have been perfectly satisfied if the President had said, look, there are better ways to educate American kids than the ways you have picked. We're going to put more of an emphasis on developing curriculum materials, we're going to put more of an emphasis on counseling. Wonderful. I think we all would have welcomed that, but simply to slash the education component by almost two-thirds, to us that was a gross failure of leadership, a gross failure of understanding, a gross failure of concern and we all look forward to hearing Secretary Bennett's explanation of the slashing of the education budget.

We have to, if we're ever going to make a dent on this problem, we have to do it by a change in behavior and we can change behavior. We've done it in many important aspects of American life. Look at the vast increase of exercise on the part of the American people. In response to Administration leadership, this and past Administrations, we are exercising as we never have before. Look at the changes in diet, the radical changes of diet, the reduction of cholesteral rich foods, the predilection of Americans to move away from red meat, cheeses, eggs, whole milk. If you don't believe me, ask the dairy industry, ask the cheese industry, ask the meat growers of America.

Americans have radically changed their diet. They have changed their driving habits too. There's been a sharp reduction of alcohol related deaths because there has been a drumbeat of action on the

part of the Administration, real leadership here and leadership in the 50 States.

So, we know that we can change behavior. Look at the reduction of smoking among educated people. In our country, such has been the change in smoking habits that it is a disease and addiction of the poor and the uninformed. Middle class, college educated people have radically reduced their smoking and this has been also in answer to a drumbeat of leadership on this matter and I wish to congratulate our Surgeon General Everett Koop for the outstanding leadership he has given Americans in changing their behavior on smoking.

So, we know we can change behavior if the leadership is there, if the commitment is there, but we don't find leadership, we don't find commitment reflected in the Administration's budget proposals which slash education by two-thirds.

Now, we know we can change behavior, but it isn't going to be done overnight and it isn't going to be done on the cheap. It's got to be done by an Administration that is concerned, that is involved, and that is willing to spend the indispensible funds that are necessary to produce the programs, the curriculum, the guidance counselors, the massive impact on our schools that is required to meet the order of magnitude, horrible order of magnitude of this problem.

Every day, every week, every month that we delay the planning and funding for drug education programs, will mean more devastated lives, more devastated hopes, more devastated careers and more devastated communities across the length and breadth of America.

Now, our nation has gone through too much trauma to accept lip service from this Administration. It is not enough for this Administration to say out of one side of its mouth to the kids say no to drugs, when out of the other side of its mouth it's saying to the Congress, we're going to say no to drug funding. The Administration can't have it both ways. This problem is too serious for pretense. It's too serious for dissimulation. It's time to take serious steps to educate our kids and other drug abusers in our society to the fact that life itself is a high and that drugs lead to destruction of their education prospects, destruction of kids' job prospects, destruction of marriage prospects, destruction of career prospects and frequently, destruction of lives.

Now I'd like to yield to the ranking minority member of this Committee, a man who for over a decade has given superb intelligent, dedicated leadership to our efforts. Congressman Ben Gilman.

[Statement of Mr. Scheuer appears on p. 39.]

Mr. GILMAN. Thank you, Mr. Chairman, and we certainly welcome having Secretary Bennett with us this morning. We appreciate his appearance along with his assistant and we hope that out of this testimony we'll have a better view of the direction in which we're going with regard to education.

As the Chairman has indicated, this Committee has monitored the problem of drug abuse and narcotic trafficking for quite some time now. With the assistance and leadership of other Committees, we've been able to take a good hard look at how the important Omnibus Anti-Drug Act of 1986 has progressed since we provided for

the first time, substantial resources to try to do something about narcotics in our country

Over close to $3 billion was appropriated last year to fight on the five major battlefields and all of us who have been involved in the narcotics trafficking battle recognize the five major areas. Trying to reduce it at its source through eradication and trying to interdict once it gets into the mainstream, to beef up enforcement once it hits our domestic areas and then to try to reduce demand through education and to do something about treatment and rehabilitation.

We know that our law enforcement agencies are doing everything they can to interdict and seize as much of the controlled substances as possible, but many agencies are also involved in active drug abuse preventive programs, which is laudable indeed. And they're involved because there has not been any major activity in education up to this year and it's really abominable that we have to devote time by our law enforcement people to get into the schools to present the kind of program that should be presented by the school authorities themselves.

And we know that Justice is doing an excellent job in attempting to get into the schools, as well as some of the entertainment industry.

Just yesterday, Mr. Chairman, I had an opportunity to participate in a hearing in New York City, along with Senator D'Amato and Senator DeConcini and we had before us major witnesses, Rudy Giuliani of the Southern District, Mayor Koch, Police Commissioner Ward of the city of New York, Mrs. Wrobleski of the International Narcotics Bureau, at the State Department and the major theme of all of that and I'll quote from Mr. Giuliani at that hearing, "So long as Americans spend over $100 billion in drugs in our nation, nothing that we can do will help unless we change the thinking of our people in our own country, particularly the thinking of our young people and that boils down to an education policy."

Police officials throughout the nation keep telling us whenever we conduct hearings, what are we doing about demand? We're doing whatever we can with our limited resources in trying to cut into supply. But what are you doing about demand? When we go to Colombia, to Peru, to Bolivia, they point to our nation, and ask what are you doing about demand? We're trying to tackle the problem here, but you've got a tremendous demand up home.

Well, frankly, we have too little that we can respond to. Yes, our Department of Education has put out an excellent book. We commend you for that, Schools Without Drugs, but that's been, apparently, the limited resource that we've had in education up til now.

And when I talk to our people in the New York State Education Department and find that very little money has trickled down to the school districts after practically a year of this measure being in place, yes, some of the money has gone up, but it still hasn't come into the school districts and we still find the lack of training of our teachers and we still find a lack of curricula out there and we find very little follow up by our Department of Education.

And I hope today, maybe we can elicit more of the facts of where we've been. It's been widely acknowledged that the only viable way

that we're going to be able to win the war on drugs is through preventive education and yet the message that the members of this Committee receive, Mr. Secretary, the last time you testified before us, that what we need in the schools is more stringent enforcement that is, kick the kids out.

But what do we do when we kick the kids out? We're putting them on the street to become drug peddlers and that's not providing a preventive program for those youngsters who are in the schools, to try to endear in them a manner in which they can avoid and be a deterrent of narcotics abuse in their school systems.

I'm not convinced that such activity is the core of a sound drug prevention curriculum and I hope the Secretary will be able to detail the Department's activities and recommendations in such a manner that upon conclusion of this morning's hearings, our Committee will have been persuaded that our Federal education experts are indeed providing the kind of leadership that is so sorely needed in this area.

We also have to discuss in the area of funding, the establishment of criteria and the need for proper outreach. We hope to learn this morning that the Department has taken a pro active role in our war on drugs, through methods other than encouraging schools to expel problem children.

Thank you, Mr. Chairman.

Mr. SCHEUER. Thank you, Mr. Gilman.

Congressman Frank Guarini of New Jersey.

Mr. GUARINI. Thank you, Mr. Chairman.

We welcome you, Mr. Secretary, and certainly look forward to your testimony. You are the most important component we have in this war against drugs. However, wherever we've gone and whatever hearings we've had, it's always come back to the demand side and this comes down to your leadership and your efforts.

Congress took action last year with the Anti-Drug Abuse Act of 1986 and we wanted to protect our children then against the onslaught of drugs. We had a comprehensive program of every facet of the drug program. One particular important facet of it was the authorization of $250 million for drug abuse education.

Now, just two months after the President signed the bill, the President has come out with his own budget of $100 million, which brings in mind whether it is a contradiction of terms or whether the President is truly serious about educating the people against the evils of drugs. The entire drug program was cut down from $3.7 billion to about $2.8 billion. The President cut almost another billion dollars off the entire drug effort of the United States, which is against a $100 billion drug habit that this country has.

So, you see that we are putting our resources in smaller and smaller measure against a problem of outrageous proportions. We've got to protect our children. They are our truly national resource and these are the people who will be leading our country and our country, apparently, is not getting the best effort on the part of the Department of Education and education in our schools that they are entitled to.

And I hope that you can make clear to myself and my colleagues what direction we are going in this Federal education effort and the drive against drugs. I think the time is now for action, not for

rhetoric and I look forward to your testimony because I think that it's perhaps the most important part, as I said before, component of our war against drugs, so welcome, Mr. Secretary, and I look forward to what you have to say.

Mr. SCHEUER. Congressman Larry Coughlin from Pennsylvania.

Mr. COUGHLIN. Thank you very much, Mr. Chairman.

I join in welcoming the Secretary and saying that I, too, believe, as has been expressed, that we devote far too small a share of our resources for the demand side as compared with the supply side. There is so much money involved in drug running that the supply will always be there if there is a demand for it. We also need to do a better job in education.

We worked very hard last year to provide funding for education in many areas. I was particularly interested in a program to provide $5.5 million for the production and distribution of high quality audiovisual materials to elementary and secondary schools. I'll be interested in learning about the progress of this program, which I understand is really underway. I would like to commend the Department for its effort in this area and will look forward to your testimony.

Mr. SCHEUER. Congressman Sensenbrenner.

Mr. SENSENBRENNER. I have no opening statement, Mr. Chairman.

Mr. SCHEUER. All right then. Mr. Secretary, again we welcome you here. We look forward eagerly to what you have to say and please use the balance of the time you have in your own fashion.

Secretary BENNETT. Thank you very much, Mr. Chairman.

Mr. SCHEUER. And your full statement will be printed in its entirety at this point.

Secretary BENNETT. Right, and I'll be brief.

STATEMENT OF WILLIAM J. BENNETT, SECRETARY OF EDUCATION

Secretary BENNETT. I'm sure glad to be here. It certainly is a warm welcome you all gave me and I'll come back again soon.

Mr. Scheuer, Mr. Gilman, Mr. Guarini, you really do have to recognize, when you talk about leadership, that there's a hell of a lot more to leadership than standing up and saying let's spend more of other people's money. I don't apologize one bit for the leadership of this Department on this issue. We were there early, and my first statement to the press was about drugs. The best publication, perhaps in the history of the Federal government, got a nice, light compliment earlier, but one and a half million copies of that book, which tells people what to do and what not to do has been distributed and has been praised by school people all over the country. We're very pleased with that.

We received the money under the appropriation and got the money out, we think, in record time. The reason it isn't trickling down in New York, Mr. Gilman, is New York hasn't gotten in a satisfactory application yet. When they get in a satisfactory application, they'll get the money, but don't scold us for that. Tell them to get in a satisfactory application.

Now, I understand that none of you would want to stand for the proposition that just spending other people's money is going to solve the problem. So, trying to get this more into a discussion than a rhetorical session, let me say we had hoped that members of the Committee would have been willing to join us in putting teeth in the legislation by insisting, as we insist, on accountability and assessment.

You know, there's an awful lot of drug education going on in the United States. Before these Acts were passed into law, we estimated some 80 or 85 percent of American schools had drug education programs and drug use was still increasing. I know there is a modest kind of sweet faith on the part of some that if you have a drug education course, young people will change their minds. In fact, there's no evidence that that's the case at all.

Simply knowing that something is wrong, is not sufficient to alter one's behavior. You also have to have clear and direct policies about this. We were seeking to be sure that good taxpayer money that went out would be spent in the most responsible way. So we sought accountability and assessment.

The Committee, in its wisdom, I guess, did not see fit to support our notion of assessment or evaluation. That means, in effect, a lot of the money can go out without any evaluation about how it is to be spent. The notion that American schools are in general so poor, are so deprived of funds, that they don't have a penny for drug education, is of course ridiculous and belied by the facts. So, we wish that despite our disagreement on funding levels, we wish that the Committee would join us on this issue of accountability and assessment if the members of the Committee are really serious. Or do they want the conclusion to be drawn that they want to spend a lot of money, but they're not really interested in doing something that is going to be effective?

I deeply object to the notion that all I did the last time I was before you was talk about the need to throw people out of school. That turned out to be a fixation of the Chairman and one or two other members. I did say that I supported the policy of those school districts that were very tough on drug pushers and did not tolerate drug pushers in their midst.

By the way, our experience is that a number of schools that have dealt with drug pushers have found many of those drug pushers to be alumni of drug education courses. That's why we put so much emphasis on policies at the school level in addition to curriculum.

Now, you've had your say and I've had my say. Maybe we can talk now.

[Statement of Secretary Bennett appears on p. 41.]

Mr. SCHEUER. Mr. Secretary, as I understand it, up until this past year or the year before last, you had a drug education budget of $3 million out of a total education budget of $18 billion.

Secretary BENNETT. Right.

Mr. SCHEUER. That's an infinitesimal fraction of 1 percent. Now, apparently you've raised your sights and now apparently you're responding to Congress and the American people and I welcome that and you're now prepared to go from $3 million to $100 million and we welcome that. We're sorry that you can't see your way to go to

the $250 million that we recommended, which even itself is a pitiful drop in the bucket of what we ought to be spending.

It's quite true that you can't solve problems by throwing money at them. It's also true that you can't solve problems by saying that money isn't the only answer. We know perfectly well that money isn't the only answer. We think that curriculum materials are the answer, counseling is the answer, oversight is the answer, all the things that go to make a good education program. This is the answer and it seems to me that an agency that spends 18 or 20 billion dollars a year should be able to pry loose from its budget more than one-half of 1 percent.

That's what you're saying. Out of a $20 billion budget, you want to put one-half of 1 percent or $100 million, into drug education. What we are saying is that the scourge of drugs in our school system has achieved a critical mass and it is destroying education itself and unless we do something about the two-thirds or three-quarters of kids who—unless we do something about the 60 percent of kids who are on cocaine, who have used cocaine in the last year, unless we do something about the 22 to 25 percent of kids who are systematically on hard drugs, all of the other education efforts go to naught.

Unless we do something about drugs, we're never going to do very much about the 50 percent of black and Hispanic kids who drop out of our schools. So many of then are into the business of drugs. Until we do something about drugs in our schools, we're not going to make major progress on a terrifically blighting factor in our society, which is illiteracy, adult illiteracy, that cripples our efforts to have a productive and competitive economy, that cripples our efforts to be competitors in the world, that is a blight and a drain on our economic muscletone, on our economio effectiveness.

Drugs are a central factor in reducing the productivity of the young people who are graduating from high school and if we can't lick that scourge of drugs, not only is our society going to be crippled, but our economy is going to be crippled. And for you to say that all we want to do is throw money at the problem, indicates a pitiful misunderstanding of the problem.

Secretary BENNETT. No, no.

Mr. SCHEUER. I'll be happy to yield to you to answer it.

Secretary BENNETT. Thank you. That's not what I was saying. What I was saying was that your suggestion, that since we don't buy $250 million, we are not showing leadership, is wrong. That suggests the only notion of leadership you have is how much of other people's money you are willing to spend. We have a different and richer notion of leadership than that.

But we can disagree about the money, and you'll probably win. It will probably be $250 million. If you want to spend the next hour beating up on us because we proposed 100 and you proposed 250, and we're going to get 250, that's fine. I'm talking about what's really——

Mr. SCHEUER. We're not going to get anywhere this morning if both of us——

Secretary BENNETT [continuing]. Important——

Mr. SCHEUER. No, look. I'm conducting this hearing. I'm taking back the time and as soon as I finish my sentence, I'll yield to you with great pleasure.

Secretary BENNETT. You just yielded to me before.

Mr. SCHEUER. Cliches, empty cliches aren't going to get us anywhere this morning.

Secretary BENNETT. Right. I agree.

Mr. SCHEUER. To say that leadership is not willfully throwing away other people's money does not really contribute very much to the sum total of our knowledge in the field of drugs.

What we think leadership does, what we think leadership would be in this area is helping schools to cope, helping schools with curriculum materials, helping schools with oversight and doing the practical, necessary things to give schools the capability of making more of an inroad.

What have you done over the last year to help identify programs that work and programs that don't work? Tell us what you've done to help us identify programs that are failing and programs that are succeeding. Help tell us what you've done to place in the hand of every teacher material that that teacher can use with kids.

You produced a million and a half of these pamphlets. What does that amount to in a country of 242 million people with 400,000 or 500,000 teachers?

Secretary BENNETT. You find the material or——

Mr. SCHEUER. I'd like to get this book that you have produced, a very good book, in the hands of every elementary and secondary school teacher in America.

Secretary BENNETT. A million and a half ain't a bad start on that, but I don't think you can fault us for not getting that book out and around and for that book not being used and praised widely by educators.

Mr. SCHEUER. I think it's an excellent book.

Secretary BENNETT. This is the second most widely distributed book in the history of the Federal government, second only to Ralph Nader's "The Car Book," so we're very proud of this particular achievement.

Mr. SCHEUER. Well, as Congressman Gilman whispers to me, this indicates the need, the demand out there, how desperate the matter.

Secretary BENNETT. But I'll tell you, if the book wasn't any good, we wouldn't have the demand for the book.

Mr. SCHEUER. Nobody is suggesting that it isn't good. It's an excellent book and we commend you for that.

Secretary BENNETT. Thank you. That's the first part of my answer. Can I now give my second part?

We have identified in this book a number of schools that have developed effective policies and, since the release of the book, we can now identify more schools for you.

John Walters here can rattle off as long a list as you'd like, until 11 o'clock, of schools that we've identified that have good programs. We've done exactly that.

Third, you mentioned "oversight." That's exactly what we asked for in our amendments; give us the oversight; give us the opportunity to evaluate and assess.

Mr. SCHEUER. Now, wait a minute You don't need legislation to do oversight. What do you need legislation to do oversight, just do the job.

Secretary BENNETT. You bet. We can do oversight, but we would like the Congress to be with us on this, and we're puzzled by the Congress—

Mr. SCHEUER. We want you to conduct oversight. We want every Federal agency to conduct oversight. You don't need legislation for that. That's a red herring.

Mr. WALTERS. Congressman, if I may for a minute.

I think in——

Mr. SCHEUER. Could you identify yourself for the record?

Mr. WALTERS. Yes. I'm John Walters, special assistant to the Secretary, and I have been given responsibility for coordinating the drug abuse prevention activities of the Department.

Mr. GILMAN. If the gentleman would yield a moment. If you would, in your statement, explain where we were remiss in not supporting accountability and oversight. I don't understand that comment that the Secretary made. Maybe you can pinpoint that for us.

Mr. SCHEUER. It's my understanding that what your Department wants to do is to force the oversight and accountability responsibility over to the States. You don't want to carry it on yourself.

Mr. WALTERS. We are trying to put into the Drug Free Schools and Communities Act provisions that require local districts that receive money to assess the scope and character of drug use in building effective prevention programs. That's because we've done research on this. When the Secretary first took office, he said I'm concerned about drug abuse. If there's one thing I could do as Secretary, it's to get drugs out of schools.

We began by looking at what works, and the result of the investigation was that book. But, I don't know that the Committee staff has had an opportunity to brief the members here, but we have provided reams of information to the Committee staff about—we've created not only the research base to build programs and create effective efforts, but to build legislation and implement programs.

The Department of Education, since last September, has implemented at least 10 different programmatic efforts. Now you can say there was $3 million appropriated a few years ago out of the Department budget. Well, first of all, Congress appropriated that money as well as the Administration. It decided 3 million was enough, just as the Administration did.

And second, since this Secretary was in office, we've created a foundation for expanding our drug prevention efforts and you have never seen a comprehensive system of prevention programs for schools before in the Federal government as exists today in the Department of Education. They are more comprehensive, they reach farther and I don't know why you haven't been provided with the information we've given the Committee staff on the programs here.

We are providing advice. We're mailing a bimonthly newsletter as a followup to "Schools Without Drugs," talking about model programs, available resources, programmatic sources of money. We are providing technical assistance to school districts. We are in-

creasing or expanding our regional centers program to provide training.

Mr. SCHEUER. What is your budget for technical assistance to school districts?

Mr. WALTERS. Well, the Drug Free Schools and Communities Act provides money for Federal programs.

Mr. SCHEUER. I know what the Act provides. I'd like to know what you're currently spending.

Mr. WALTERS. Well, we're spending money within the $33 million provided by the Act.

Mr. SCHEUER. How many regional centers do you have going?

Mr. WALTERS. We have five regional centers as mandated by law.

Mr. SCHEUER. In the whole country?

Mr. WALTERS. Yes, sir.

Those regional centers will be tripled in size as a result of our efforts. Sir, those centers are mandated by the law by Congress. I mean, it seems to me a little bit unfair for you to say we are doing something that we require legislative authority to do, and you passed the legislation up here. I mean, give me a break.

Mr. SCHEUER. What do you want to do that you don't feel you have legislative authority to do?

Mr. WALTERS. We would like to require local school districts to assess the scope of their problem and report it to State authorities on a yearly basis as they receive money under the Act, to show progress in reducing student drug use and to show they have effective policies and effective programs based on what we know works from our own research. And we want that continued funding to the local school district contingent on demonstrating results or willingness to change programs that are not efficient.

Mr. SCHEUER. Can't you monitor local and State activities yourselves with far more expertise than any State is likely to put together?

Mr. WALTERS. We could monitor on a sporadic basis. We could survey what people are doing, but that's not holding individual districts accountable for activities. These are the same kinds of accountability provisions that Congress has accepted in other education legislation, such as H.R. 5 that recently passed the House.

It's just good management.

Mr. SCHEUER. Why can't you hold States and cities responsible for running adequate programs as a condition of renewing their fund applications?

Mr. WALTERS. The present legislation does not allow that. If our amendments were accepted and passed by the Congress, they would allow that.

Mr. Gilman is one of the cosponsors of it. I don't have any beef with him.

Mr. SCHEUER. I think we'd like to get the Secretary back into stage center.

Mr. GILMAN. Mr. Chairman, Mr. Walters was in the course of making some recommendations. I would like to ask the Chairman if he'd let Mr. Walters continue with his recommendations that you think you need in order to effectively provide a program.

Mr. SCHEUER. Go ahead.

Mr. WALTERS. Well, essentially, it's the provisions for assessment and accountability contained in our amendments.

Secretary BENNETT. Which you cosponsored, Mr. Gilman.

Mr. GILMAN. Now, let me ask you, does the legislation today prohibit you from accountability and assessments? Is there any prohibition that you have in doing that today?

Secretary BENNETT. No; there is no prohibition except, as you know, under the Act we are providing funds to numbers of different parties, but the largest amount goes to the States and most of our action and our interaction will be with the States, so the reason behind our proposal, again, which we were glad you cosponsored, was to say to the States, "Look, the funds will be forthcoming from the Federal government, but we would like you, since you're in a better position than the Federal Government, to do your own assessment and evaluation of what local school districts are doing. Are they making progress? Have they identified the problem and are they making progress?"

We think that's a more appropriate distribution of authority.

Mr. GILMAN. But there is no prohibition for you to do that assessment and accountability, is there, Mr. Secretary?

Secretary BENNETT. No. We can go around the State and go directly to the local school district.

Mr. GILMAN. Well then, what's the problem?

Secretary BENNETT. Well, it's much better to have the States do that. I mean, that's one of the reasons we have State governments. They have a closer relationship with the local communities.

Mr. GILMAN. But don't you think that you have some responsibility in making certain that these programs are being carried out in the States?

Secretary BENNETT. Absolutely. We want it, and we will do it anyway, Mr. Gilman, be assured of that, but we think it is a much more effective instrument to use the States as intermediaries between us and the locales, but our oversight will go on nevertheless.

Mr. GILMAN. But you're not prevented from oversight by this measure, right?

Mr. WALTERS. We can't require assessment under the present Act of the scope of drug use in each school district and require them to measure that each year and require them to make reasonable progress before giving them additional funds.

Mr. GILMAN. Did you make a request that there be a mandate, did you make a request to the Congress that there be a mandated assessment to the Federal Government? Did you make that request to any of the Committees?

Secretary BENNETT. Yes.

Mr. GILMAN. It's not the Narcotics Committee that takes your jurisdiction. It's the Education Committee. Did you make that request to the Education Committee that you have a mandated assessment and accountability, Mr. Walters?

Mr. WALTERS. Yes.

Mr. GILMAN. And who did you make that to, which committee?

Mr. WALTERS. I'll have to check with our staff about how we transmitted that to the Hill. Education and Labor.

Mr. GILMAN. And when was that made?

Mr. Walters, to save time, would you send a copy of that request to our committee and if that's still current, we'll take that up with the Education Committee. This is the first that your request for an assessment and accountability measure had been brought to my attention and I venture to say, to my colleagues on this committee, it may be the first time that it's been raised and we'll be pleased to provide you with whatever tools you may feel are effective to you.

Now, is that the only recommendation that you have is the accountability and the assessment provision?

Mr. WALTERS. There are a couple of small technical things, but that's the basic. You asked what we need to do our job better, what would we ask for. Those are the provisions we would ask for.

Mr. SCHEUER. I don't think there would be the slightest hesitation on the part of this committee to give you those tools. I see no problem with it. We want accountability and assessment going on all the way up and down the line. The cities should do it. The States should do it over their own programs and the Federal, the Feds should do it too. They've been doing it, since the memory of man runneth not. All Federal programs involving expenditures to cities and States involve oversight, accountability, scrutiny. There's nothing new about that and if you want some additional authority to require States and cities to do their own assessment, their own accountability, their own oversight, I would think this Committee wouldn't have any objection to that at all.

Mr. WALTERS. Great, that's great.

Mr. GILMAN. These aren't within your regulatory powers to promulgate the regulations to provide for that in your regulations?

Mr. WALTERS. It's not in the law now, no, sir.

Mr. GILMAN. Pardon?

Mr. WALTERS. No, sir, it's not in the law now to require that kind of oversight and accountability.

Mr. GILMAN. It's not within the province? It seems to me that in your regulatory process, you ought to be able to do just that, but I would hope that you could take another look at that and if it does need legislation, we'll be pleased to provide that if that's a problem for you.

Secretary BENNETT. We know you are, sir, because of your interest in cosponsoring those amendments, and we would very much like to have them. I'm glad, Mr. Scheuer, that you support them too. That gets us over an obstacle we have had for some time.

Mr. SCHEUER. Is there anything that stops you that you need to be liberated, to conduct oversight, accountability, scrutiny of these programs?

Secretary BENNETT. We think now, that if we can overcome this obstacle, it makes it a lot easier because then you've got the State education authorities receiving the funds with explicit authority under the legislation to do an evaluation of the local problems.

Mr. SCHEUER. Well, I know nothing in any legislation effecting States in any type of activity that would prohibit them from counting on their own scrutiny or accountability and I know of nothing that would prevent you from requiring that as a condition of funding.

Secretary BENNETT. Yeah, I guess our lawyers might disagree. There is nothing—you made two statements there. There is noth-

ing that we have now that would require the States to do this. The States could do it on an optional basis, but we want the States to be required to do this because we think it's a good idea.

Mr. SCHEUER. And you can require them to do it now, can you not?

Mr. WALTERS. No, we don't have the legal authority to do that in the Act. Now, keep in mind, what we want to assess is the level of student drug use. That's what we want the program built on, that's what we want to monitor as we go through, that's the bottom line here.

We want kids not taking drugs. Attitudes are important in that.

Mr. SCHEUER. Attitudes are everything.

Assuming you get this authority that you are asking for, which we certainly want you to have and if there's any doubt that you have it, we want to clear up that doubt.

And assuming you have the authority to require States and cities to monitor their programs and do assessment studies and effectiveness studies, do you feel there's an additional role for you, for your office, to monitor State and city activities?

Secretary BENNETT. Sure it'll help. Look, we're not complaining. We think that this——

Mr. SCHEUER. You're not trying to shut that off, are you?

Secretary BENNETT. No, no, we're proud of what we've done, and we think we've got a lot of the tools to get this job done and we haven't come before you to whine and say we can't do the job—we can't get at it.

We are saying we think this additional step would be helpful. We appreciate your interest.

Mr. SCHEUER. We see no problem with it.

Congressman Guarini.

Mr. GUARINI. Thank you.

Mr. Secretary, just looking at your book and I'm impressed by the figures that the United States has the highest rate of teenage drug abuse of any industrial nation. The problem is 10 times greater than that of Japan. 61 percent of the high school children have used drugs. Another figure, 57 percent of the respondents bought their drugs at schools.

Secretary BENNETT. Right.

Mr. GUARINI. It sort of indicates to me that there is a huge problem out there and from listening to the tone of what has been said before, there actually seems to be some hostility in this room. There's an awkwardness in our getting our act and our program together. It seems also to me that there has never been a time that we've had cheaper and cheaper drugs, more and more drugs, purer and purer drugs in our school system.

So instead of just talking about it and trying to send out curriculums or send out forms to accumulate information, it seems to me that I would, if I were Secretary of Education, have preventative programs. I'm not trying to accumulate facts or data.

Secretary BENNETT. We do, sir, we do. We do. We have preventive programs.

Mr. GUARINI. And actively, not passively, seek out. Now, apparently you had a hand in the budget for Education as the Secretary of Education and Congress appropriated $250 million for the drug

program. It was recognizing the fact that this was only really a spit in the ocean. Now, I'm told that we have 56.9 million persons enrolled in American schools.

Now $100 million is less than $2 a person, probably the cost of this booklet, this booklet may have cost about that.

Mr. WALTERS. Fifty cents, sir.

Mr. GUARINI. Well, I'm seriously concerned of the enormity of the drug program that's out there, the profits that are being made, the cost of society which is estimated at much more than $100 billion, the cost of drugs on the streets which probably is another $100 million plus and are we going to a five alarm fire with a water pistol?

Are you satisfied, as the Department of Education's leader of the many thousands of schools, primary and secondary and college schools of this nation that you have an adequate budget of $100 million, which is about $1.75 per student in America?

Secretary BENNETT. Yeah, sure. If I felt that we could buy a solution to this problem by appropriating a billion dollars, I'd be up here asking for a billion dollars, but you can't buy a solution to this problem, Mr. Guarini, and that's just the way it is.

Mr. GUARINI. Well, we can't buy a solution, but in '86 you had $3 billion.

Secretary BENNETT. $3 million.

Mr. GUARINI. $3 million. In 1987, you had $200 million. Now, in 1988, you put in for $100 million. Now, it just seems to me that if you've just admitted that the problem is more epidemic than before and is growing increasingly worse, how, with your leadership, do you expect to have a more effective program if you want to cut your funding in half?

Secretary BENNETT. Because my mind is more complicated than to suggest that if the problem is getting worse, the immediate solution is Federal spending. The other thing you have to realize, Mr. Guarini, is that when you talk about $2 a student, you do realize that there is spending on education that is not Federal? Do you realize that, sir? 93 percent of it is not Federal, you know that?

Mr. GUARINI. Of the $100 million?

Secretary BENNETT. If the Federal government doesn't buy it, it doesn't mean if doesn't get bought.

Mr. GUARINI. Yes, but we're not putting the effort off on somebody else or pointing the finger at somebody else.

Secretary BENNETT. Oh, yes, we are, sir. We're putting the effort off on all of us. We have our part to do. The States have their part to do. The locales have their part to do.

Mr. GUARINI. This is philosophy we're talking about.

Secretary BENNETT. That's my feeling.

Mr. GUARINI. You're not talking about figures alone.

Secretary BENNETT. If we spend $2 billion or $5 billion or $10 billion and the people at the local level don't do the job that they are supposed to do, it won't matter a bit. If they don't do what Bill Rudolph at Northside High School in Atlanta did, if they don't do what the folks in Anne Arundel County, Maryland, did—by the way, these didn't cost much money—if they don't do it, it doesn't matter how much we spend. We've got to—divide the responsibility here.

We're doing our part. We're proud of it, and others have to do their part. A lot of these success stories, a lot of these efforts to get rid of drugs and get drug use down, occurred before there was any Federal legislation at all, because people got tired of seeing drugs in schools and did something about it. We think our money can help, but our money can't replace that effort.

Mr. GUARINI. But what you're saying is that therefore, all of the problem belongs in the State and local governments——

Secretary BENNETT. No, I just said——

Mr. GUARINI [continuing]. And that you wanted to assume the leadership role and you don't want to have it——

Secretary BENNETT. I said we all——

Mr. GUARINI [continuing]. Pinpointed on you—I listened to you. I just want to clear up a point.

It has always been my opinion, serving on the Budget Committee and listening to you, when you testified before the Budget Committee, that you came out with a figure that cut the whole Federal budget of education 28 percent. That's what it was cut across the board. The entire budget was slashed, hacked, 28 percent. OK?

Now, it seems to me that the leadership role that the Federal Government and this is what is philosophical, and if this is your position, we would have no great misunderstanding. I may have a disagreement, but not a misunderstanding, that you do not feel that the Federal government should be responsible for what's happening in the State and local schools. If 97 percent of the money is being spent there, they should have 90 percent or maybe 100 percent of the responsibility.

Now, the drug epidemic in America needs leadership and it's not going to be by the local schools. They can't even afford to handle the problems. Sometimes the States don't have sufficient leadership or know how, so it seems to me that the leadership should be focused and pinpointed and the responsibility should be at the Federal level.

Now, do you disagree with that premise and if you do, we may as well all go home because you may just as well say we're not going to do a damn thing about it because it's not our responsibility.

Secretary BENNETT. I could have saved us 5 minutes, Mr. Guarini. As I said, we all have a responsibility here, but the notion that I or you or this entire committee or this entire Congress or the three branches of government could somehow do what has to be done by someone at the local level, is impossible. The best exercise of our responsibilities, and I believe that we should exercise them as best we can is not to relieve people at the State and local levels from the exercise of their responsibilities because it is going to be the people in the place, in the spot, at the school, who are going to have to give this message to kids.

And you and I, the First Lady, and everyone else can make the best efforts possible—spend $200 million, $800 million, whatever we want to spend—but if that responsibility is not taken up at the local level, nothing is going to happen. So we all have our job to do.

Mr. GUARINI. So therefore if they fail on a local level, you're willing to accept that and do nothing about it.

Secretary BENNETT. No. If they fail at the local level——

Mr. GUARINI. Then what?

Secretary BENNETT. Then, local school level fails as we say in the book. The community has to get new leadership; the State has to get new leadership. You have to have a——

Mr. GUARINI. Now, assuming that fails, what happens, Mr. Bennett?

Secretary BENNETT. You mean if it fails——

Mr. GUARINI. If the State is not effective in its program protecting its children against the abusive drugs.

Secretary BENNETT. I guess you get a new Governor and a new State Legislature.

Mr. GUARINI. Well, that's not necessarily the reality.

Secretary BENNETT. Are you saying this should be taken over by the Federal Government?

Mr. GUARINI. No.

Secretary BENNETT. By the way, I do not believe that I want to put myself in the posture of saying, we are concerned and interested, but Governors aren't or State legislators aren't or local school boards aren't. They are interested. They are very interested. They are doing something about it. We do not, when we travel around the country and talk to people in the schools and at school boards, find people who say you know, the Federal government has really got to fix this one because we are helpless here at the local level. That's not what I'm saying.

Mr. GUARINI. Well, Mr. Bennett, the States have different levels of performance and we are now redoing public assistance. There are some States that don't take care at all of the problem.

Secretary BENNETT. Right.

Mr. GUARINI. There are some States that are terribly behind, other States that are ahead. Now, we're all in this together and we're no better than the weakest link. Now, if we do have States that are very far behind regarding their approaches to the drug problem, are you as the Federal leader and the Federal Department of Education Secretary willing to say then you failed on your State level so, therefore, we're not going to do anything about it. It's your responsibility.

Secretary BENNETT. No, we've come full circle, Mr. Guarini. That's exactly where we were 15 minutes ago. That's why I want the assessment provisions and accountability provisions; so if people don't do the job, we can say you're not going to get any more Federal money because you're not doing the job.

Mr. GUARINI. But if you don't give them Federal money and they've failed, now what are you going to do?

In other words, where is our program there if they don't do the job, they don't even know how to do the job, they don't have the competence or the concern to do the job. Now you cut off Federal money.

Secretary BENNETT. Oh, come on now.

Mr. GUARINI. Now what are you going to do? Are you going to close the State down? Are you going to have no drug program in that State whatsoever?

Secretary BENNETT. No. I'll tell you what. When the incentive of the Federal money is there, I bet you the situation isn't going to last very long. They're going to turn around and say now we have

a better idea. Could we try again. That's the point about accountability.

The notion that the people of any State, you name the State, are going to tolerate their leadership at the local level being indolent about this for very long, I think is preposterous. But why not have another incentive of the sort that we are proposing?

Mr. GUARINI. Well, your philosophy is the same about a student. If a student doesn't make it, throw him out of school. I don't know what you'd do with him. If a State doesn't make it, forget about any drug program in the State.

Secretary BENNETT. No, no, I never said that.

Mr. SENSENBRENNER. Will the gentleman yield?

Mr. GUARINI. Yes.

Mr. SENSENBRENNER. There are several provisions in the Civil Rights laws calling for cutting off funding to States and localities which don't comply with the Civil Rights laws. Would you propose repealing those too?

Secretary BENNETT. I'm interested in the drug program right now.

Mr. SENSENBRENNER. It's the same principle. Either you follow the Federal guidelines or you don't get money.

Secretary BENNETT. You're trying to compare, Jim, apples with oranges and watermelons. It's not the same.

Mr. GUARINI. All right, because it may seem parallel in your mind, but our State Department has reported that we expect more drugs to be coming into this country and here we have one Department saying that the drugs—coming to a greater and a more enormous proportion and we have another Department within the same Administration, the Department of Education, that's saying that we're not going to do anything more about it and we're going to cut the funding in half for our particular Department.

Secretary BENNETT. That's not what we said. That's not what we said at all.

Mr. GUARINI. That seems to me to be totally inconsistent and it seems contrary to any kind of mission that this nation should have.

Secretary BENNETT. It's a total misrepresentation of my views, total and complete misrepresentation of my view.

Mr. GUARINI. The State Department did not say that we expect more drugs directed at this country?

Secretary BENNETT. Of my view. I just said of my view when you were talking about my Department. We're not going to do anything about it, we don't care about it. That's a total misrepresentation of our views.

Mr. GUARINI. You may care about it, but what are you doing about it?

Secretary BENNETT. Here, you want the list again?

Mr. GUARINI. Do you waive this?

Secretary BENNETT. Sir, look, what's acceptable?

Mr. GUARINI. We already have it. Take the war against drugs. Are we winning it or are we losing it, Mr. Secretary?

Secretary BENNETT. Right now, we're holding steady. We're going to have to see—drug use has not gone up dramatically, but we've got to get it down. How much has the money that Congress has ap-

propriated helped, we don't know yet. That money is just going out right now. You can't have that result tomorrow.

One thing we've got is a clear priority on the part of the American people. We've got more good examples of schools that have turned this problem around, but this is a long fight, Mr. Guarini, it's a long fight.

Mr. GUARINI. Well, when are you going to know, when your statistics are in years later and all the damage has been done?

Secretary BENNETT. No, next year.

Mr. WALTERS. You'll see next year sir. I think this is a false problem in a certain way. If you go out and talk to people in the school districts, you'll find this book and the constant communications we are sending out to schools, the technical assistance we are providing, and the expanded programs. Let's not just say the Department's doing nothing but giving money and giving the book.

I think the book is important, but the book is designed to mobilize people in the community and say, "If you're not aware of what your school is doing, this is what it should be doing." If the school's not looking at student drug use, it should be doing it because we know from research that student drug use is ten times greater than adults think it is. It has mobilized communities. And see, where you are approaching the problem from what is the Federal government going to do to force schools and States to face the problem. We're starting at maintaining our responsibility for oversight, but at the same time mobilizing the American people.

It is their children. There is no more powerful source of concern about student drug use in this country than parents. We're saying, "Parents, you have a right to expect your school to succeed. Here are examples of success. Here's what works. You have a right to expect that school officials, State officials, Federal officials will help you in ways that work, and here's what the best research tells us."

Now, that's our basis. We have continued to provide information. We are continuing to provide the money quickly. We are continuing to provide materials. We are continuing to provide advice. There are a myriad of leadership efforts going on and to completely ignore them consistently—I mean, we've provided lists. I can list the efforts. There's a packet here of publications we've mailed to every school.

Now, though I think it's an absolute falsehood to say all we're doing is mailing a book, the book is important and so are the other activities.

Mr. GUARINI. Are you working on existing curriculums and putting curriculums into the schools at all?

Mr. WALTERS. We have provided mild information on curricula in this book. We are providing an effort to review curriculum, and provide more guidance. The National Institute of Drug Abuse provides mild curricula. There are curricula provided by the government. There's advice on how to pick a curriculum. There are names of people to go to to get model curricula. This is a complete red herring, sir.

Mr. GUARINI. I suggest you're still on rhetoric without programs, sir.

Mr. SCHEUER. Okay. Congressman Coughlin of Pennsylvania.

Mr. COUGHLIN. Thank you, Mr. Chairman.

As you know, I do believe there is a Federal role in education in the drug abuse field.

Secretary BENNETT. So do we, sir.

Mr. COUGHLIN. The materials that you've sent out to schools are one good example. Another that I've been particularly interested in, as I mentioned in my opening statement, is the preparation of audiovisual materials to be distributed to schools and we did provide some funds for this program. Are you in favor of doing that at the Federal level?

Secretary BENNETT. Yes, we sure are. Did you want me to elaborate on that?

Mr. COUGHLIN. Please.

Secretary BENNETT. We, I think it's June 19, it will be this month, is it not, John, that we'll get out an——

Mr. WALTERS. It was just published today, our call for proposals for production on audio-visual aids.

Secretary BENNETT. We're calling for proposals now for the audio-visual materials, and we'll get that money out in October. We're very impressed with the degree of interest in this. We think this is another good public service, and a good thing for the Federal Government to do to add to the efforts.

We think the things we can come up with, I know of your particular interest in this, will be a little different from what we've been seeing on TV about this. Not to criticize those efforts, some of them have been very good, but we've had the opportunity to learn from watching now for a year, or a year and a half, some of these ads, and we think we've learned something about what's effective.

Mr. COUGHLIN. Do you have sufficient funds, as you see it, to carry out the audiovisual aid program at this time?

Secretary BENNETT. Yes, we think we do. Our total is what on that?

Mr. WALTERS. $5.5 million.

Secretary BENNETT. $5.5 million. This will go a long way. There's an awful lot of interest in the private sector too, as you know, Congressman. I think you helped to generate some of it on the part of donating time and services and money for the production of other efforts in this, so I think we'll be all right on this one.

Mr. COUGHLIN. Do you feel you'll need any additional money next year to continue this program or that you have——

Mr. WALTERS. I don't think so. We have, we began by looking at the need out there and then assessed the various forms of audiovisual material, length and format. We've prepared this call for proposals on the basis of that research, and we've also reserved some money to help with distribution and publicity for these materials.

So, at this point, we think we're set.

Mr. COUGHLIN. And you think these materials will be in the hands of elementary and secondary school officials by when?

Mr. WALTERS. We expect production actually to take place next year. Some of the shorter ones will probably be available near the end of the next school year or certainly the beginning of the following year.

As you know, to produce the high quality—we think it's necessary to get these as well—it's going to take a little bit longer than something slapdash, that wouldn't be a good addition to existing resources.

Mr. COUGHLIN. I agree. I do, however, hope we can expedite this process as much as possible because I think that for every bit of time saved, there may be additional addicts that are saved.

Mr. WALTERS. We will, sir.

Mr. COUGHLIN. Thank you, Mr. Chairman.

Secretary BENNETT. If I could just add. Radio and TV and newspaper announcements will be produced. Billboards, mass transit posters, and they will be available for use in the fall.

Mr. SCHEUER. Have you produced anything for parents?

Secretary BENNETT. Apart from the things we've already mentioned such as the publication and the various materials.

Mr. SCHEUER. I mean, has there been anything published that's designed for use of parents?

Secretary BENNETT. Well, this book. The first audience we address in the book is parents.

Mr. SCHEUER. We've got about 40 million elementary and secondary students in this country.

Secretary BENNETT. Right.

Mr. SCHEUER. Presumably they all have parents, or most of them.

Secretary BENNETT. Right.

Mr. SCHEUER. And you printed a million and a half copies of the book. I'm asking you, what have you produced that is designed for parent use?

Secretary BENNETT. Right. I don't think that limits the readership to a million and a half though. This is, of course, in the public domain, and the contents of this book, in whole or part, have been reproduced about 60 times in different magazines, newspapers and other places. I think it's pretty widely available.

Mr. WALTERS. We have mailed this, sir, to every school in the country.

Mr. SCHEUER. How many copies have you mailed?

Mr. WALTERS. We've distributed a million and a half copies. It's still available free of charge. We're still printing it. We haven't restricted distribution and we have contacted parents groups——

Mr. SCHEUER. Well, haven't you restricted distribution by the fact that you haven't given schools books that would match with the clientele, which is parents and kids and teachers.

Secretary BENNETT. Many of the schools, we've found, have reprinted whole or part of the book for the parents, but again, there's no limit on the number we're willing to send out.

Mr. SCHEUER. I mean, why should they have to rethink this thing? Wouldn't it be much more cost effective if you printed the amount the market needs?

Mr. WALTERS. They don't have to reprint it. They can request bulk copies. We supply those. They can request camera-ready copy and produce their own. There is no problem here.

Mr. SCHEUER. They can request a sufficient number to provide the book for the kids and for the parents?

Mr. WALTERS. Yes. All we have to do——

Secretary BENNETT. Yes, we recently had a summary of a number of the points in this book in *Readers Digest* and that must be 50 million people right there.

Mr. SCHEUER. Congressman Clay Shaw of Florida.

Mr. SHAW. Thank you, Mr. Chairman.

Having come into this hearing a few minutes late, I have a little bit of a curiosity of what set everybody off, but I think every once in a while all of us need to vent something and I guess they've all been vented and hopefully now we can work together.

Secretary BENNETT. My leadership was impugned, but I'm okay now.

Mr. SHAW. You look unscathed to me, Mr. Secretary. I think you'll be all right.

Secretary BENNETT. Bloodied, but I'm bearing up.

Mr. SHAW. I can see and I can understand the frustration on this committee and I can understand the frustration in the Department of Education because I think what we have found here and what we have been working with for years and years, is a problem that money cannot solve and none of us have the answer.

I would very much like to see this committee come up with a series of positive recommendations as to what the Secretary should be doing and give that to him and I'm sure he will take it into account and if it is something that he sees that has merit, he will be glad to embrace it. To me, it is really not getting anywhere by constantly beating on people from the Administration, whether it be the Secretary, whether it be the Justice Department or any of the others for not asking for enough money.

I think the Secretary has very clearly and very correctly pointed out that over 90 percent of the function of providing for education comes from the local community and I would say and I recognize that the Secretary has spoken out, I think very forthrightly and very often and even making references here today, the problem cannot be solved just simply by teaching kids that drugs will hurt them, that drugs are wrong. The kids already know that. Go ahead and ask them. They know that.

They just think that they can beat the odds and maybe one of those that's not going to go down to the gutter before they pull themselves up by the bootstraps. The answer to this problem, if there is an answer, as close to the answer as we can get, is discipline within the school itself.

Let's read the book that the Secretary has given to us on Page roman numeral VII and it sets forth what can we do. And it starts, I think with the—and I sense that this is a priority starting with the parents and then with the school, then the students and then the community itself and that's the priorities and that's where it's got to be solved.

The Secretary, the Federal Government cannot reach into the homes and mandate that parents pay more income taxes or some way be penalized if they don't teach moral standards within the home. Every parent should know that. The school themselves are putting up with the rotten apples that are poisoning the whole barrel. They ought to make the kids either straighten up or throw their bottoms out of school. It's time that we quit coddling those that are poisoning the mass of the student body.

All of these Federal programs, all of these visual aids, these are important things to keep bringing to the attention of the students and bring the attention of the American people, the Federal Government's priorities, the importance that we've put on this problem. But those are not the solutions. They are never going to be the solutions and we're wasting our time, we may feel better by throwing an extra $100 million or billion dollars into a program, but we've seen this on interdiction. It hasn't stopped the problem.

The problem is going to have to be done at a much more basic level and that's down, right down to the local level within the family structure itself, within the school structure itself.

I'd like to ask Secretary Bennett, if we were to increase the funding, what would you do with the money?

Secretary BENNETT. Well, I suppose we'd increase the share of the States proportionately. We don't see that there's any particular category or area that we think is seriously under funded, so probably just the proportions would increases.

But I would say that there are a couple of other areas of inquiry for this. I think we all feel appropriately enough, a certain degree of frustration about this because we do know that this is a terrible problem and it is not like the problem of illiteracy in some ways, although it's often linked to illiteracy, because if you don't learn to read at second grade or third grade what you should, maybe you can learn to read at fourth or fifth and catch up.

But if you get hooked on drugs early on, that can be it. You can be done. You can be a goner and so I think we need to look at more efforts. There are a couple of areas, Congressman, that I think we should look at that we haven't. They're not necessarily Federal responsibilities, but they are things that the Federal government could throw its weight behind that could be effective. Just two examples.

I've written to Governors and perhaps Members of Congress would want to join with me. I've written to Governors suggesting to them that they consider, as we are doing some Federal programs, some State programs and some legislation that would be pretty tough on this issue. The State of Oregon says that if you use drugs, you forfeit the right to get your driver's license for six months or a year. If you're a pusher, I think you'd never get your driver's license. This is tough. That's a tough law, but it sure gets young people's attention because people want to drive.

I mentioned this in Arizona and a young man said to me, you're really serious about getting rid of drugs, aren't you, if you propose something like that. I said, yeah, I am. He said how much time have you spent in Arizona? I said not too much. He said well, Mr. Secretary, if you're in Arizona and don't drive, you die, so you really are serious about it. I said well, I don't think you'll die, but you can die from drug use.

This is the sort of thing that we need to consider. Of course you should have the education programs and they should make as much sense as they can, but in talking to young people, 11, 12, 13, 14 and 15, there's got to be some immediacy about the message and we were very impressed with what we saw Anne Arundel County do in terms of the immediacy of their message. If you're caught

using drugs, your parents have to come in and that creates a tremendous disincentive for the kids to use drugs.

The other thing, and I take the opportunity to thank you, Mr. Shaw, for supporting our efforts with colleges and universities. I think that's a very important area and I would hope the committee could look at this yet again and have, perhaps, some university officials in here to talk to about this. Little kids tend to imitate big kids and a lot of high school kids tend to imitate what they see at the college level.

I went to one university where I said that I thought they were not doing a good job getting drugs off campus. Let me just take a minute to tell you this story because I thought it was astounding.

Following my visit, the university newspaper did a series on drug abuse on that campus and they interviewed 40 pushers or 30 pushers on the campus. The 30 pushers said well, Bennett's right, there is a lot of drug dealing and we're happy that there is because we're making a lot of money, but happily Bennett and the Reagan Administration don't have much credibility on this campus so the Administration doesn't want to crack down. Well, we cut out the clippings and sent them back to the university and said are you all going to do something about this and we haven't heard anything.

But, I mean, this is really terrible and this is something that universities can do, ought to do. The presence of this kind of—I'll show you an article out of the Chronicle of Higher Education about a college or university not very far from here where one dorm or one area is just known as knockout dorm or dumbout dorm. Everybody knows it and nobody's doing anything about it.

Now, we can sit up here earnestly and say well, you know, should we spend $100 million, $600 million, but the stuff is right under our noses, people whose job it is to see to the cultivation of young people are turning the other way on this and I think that's an area that we ought to look at. I'm frankly overall pretty pleased with the kind of leadership we're getting from the schools, the cooperation we've gotten from the teachers and the principals and a lot of the school authorities.

I'm not pleased with what the big kids, the university people have done on this issue. You know, I sent a letter, I urged university presidents to send a letter to their student bodies saying welcome back for your studies this fall, but there will be no drugs on campus.

We have 3,200 colleges and universities in this country. 12 of them wrote that letter. I think it should be more like 1,200 or 2,400 or 3,200. Now, the State of Texas, God bless the State of Texas, my alma mater, did pass some legislation that required the chancellors at colleges and universities to take this kind of action and I think that's a good thing, but that's what I meant about the distribution of responsibility.

We've all got to get in this and we've all got to bug the next guy. I don't mind being bugged about, you know, people watching over me to be sure I'm doing my job, but we all have to play in this game because the unequivocable message from all of the relevant adults in the young person's life, has to be no drugs.

If they hear the Chairman talking eloquently about it and you and me talking eloquently about it and they go to college and there

the dealers are wandering all over the Student Union, they're going to say, you know, are adults really serious about it. So this is one that's going to take a concerted effort.

Mr. WALTERS. One other thing I could say. You ask what we could use help on. I think there is one thing. If you like the book—I'm not saying you necessarily all will agree with what's in here—but if you find there's enough you agree with and you want to mail it to your constituents with a note from you saying the money that the Congress has appropriated is about to enter the individual schools in the fall, it is important that it be used well. It is important that it be used to help your children, and you want to say this book tells you what your school should be doing.

Let's start some pressure at the local level right directly at the school where people are most connected with these efforts and will make sure the money is used well, and we get some progress. I think to have the Congress, especially members of this committee, show that kind of interest and show that kind of support for appropriate use of the funds, will be helpful.

Mr. SHAW. How many——

Mr. SCHEUER. Would the gentleman yield.

Mr. SHAW. Yes. Go ahead.

Mr. GILMAN. Going back a moment to your accountability and to follow up what you've just said, in looking over the statute and I'm looking now at the statute that created the educational part of our Anti-Drug Act and I'm looking at Section 41.26 local applications and I'm looking at subsection I, it provides that the local districts will agree to keep such records and provide such information to the State educational agency as reasonably may be required for fiscal audit and program evaluation consistent with the responsibilities of the State agency.

Doesn't that provision take care of the assessment and accountability from local districts to the State and then don't you have the authority under your regulatory process to require the States to submit to you their assessment?

Mr. WALTERS. Those provisions, our lawyers tell us, only give us authority regarding the accountability of funds. It's not measuring student drug use and measuring effectiveness in reducing drug use. That's what our amendments are——

Mr. GILMAN. It says to be required for fiscal audit and program evaluation.

Mr. WALTERS. But it doesn't specifically require us to go and—it doesn't allow us to measure, to require measurements of student drug use at the beginning of the plan or the creation of programs.

Mr. GILMAN. Wouldn't that be taken care of in the regulatory process, in the regulations that you would promulgate?

Mr. WALTERS. We've looked at this with the lawyers from OMB and our own lawyers, and they tell us that is insufficient legal authority to require assessment.

Mr. GILMAN. All right. Then if you still feel that something more is needed, please spell that out, give it to the Committee and we'll try to be of help to you.

I would like to ask the Secretary, before our time runs, how do we respond to foreign governments that say what is your educational policy? What is your policy for demand reduction? How do

we spell that out in simple, concise terms to them of what we're doing nationally to reduce demand?

Secretary BENNETT. Well, the first thing we have to explain, of course, to most representatives of foreign governments, other nations——

Mr. GILMAN. And we'll be part of the delegation, as I assume someone from your Department will be——

Secretary BENNETT. Right.

Mr. GILMAN. Attorney General Meese, next week, at the international forum in Vienna and there, I'm sure, again, that issue is going to come up. What are you doing about demand?

Secretary BENNETT. Right. It is a matter in the first instance in the United States, which people from other nations often have to have explained to them, that the basic responsibility for education is at the State and local level. Therefore, the answer to the question is many steps are being taken.

At the Federal level, I would recite what it is that we are doing under this act, of the distribution of these funds and the efforts to help States and locales deal with it. I would say a massive public awareness campaign has been launched and has actually been pretty successful. I think over the last 2 years, 2½ years, Chairman Rangel, yourself, Mrs. Reagan, others—the awareness of drugs is very much there.

It is now then ultimately the responsibility of State and local officials to put into place the plans and policies that will deter drug use. The Federal Government is here to assist, to aid, to offer the best advice and, recently, to offer substantial amounts of money.

Mr. SCHEUER. Mr. Secretary, I was intrigued by your remarks that not getting a driver's license or suspending a driver's license is a terrific way to catch the attention of young kids in high school and college.

There are many Federal programs that require States and cities to do things as a condition of getting Federal funds. Do you feel you need to have additional legislative authority to require States to lift driver's licenses in the event of a conviction for pushing?

Secretary BENNETT. Well, I had not proposed it as a matter of Federal legislation because our lawyers suggested that it would be awkward, if not impossible, for us to do it the Federal level, but as a matter for the States to do, it could be done much easier.

Mr. SCHEUER. That's what I meant. For you to require States, as a condition of getting funding under this Act, to lift the driver's license or to refuse to grant a driver's license to kids in high school and college who are convicted of pushing.

Secretary BENNETT. I don't think we have any authority over that.

Mr. SCHEUER. Would you like authority? I think it's a hell of a good idea.

Secretary BENNETT. You ask a Cabinet member, how about a little more authority over the States? Let me think about it. Maybe not.

Mr. SCHEUER. You know, there are many, many programs, for example, the 50 mile an hour driving limit was a provision that the Department of Transportation put out as a condition of States getting monies under the various DOT programs. I'm intrigued by

your idea and if that's the way of catching the attention of kids minc who are pushers, I think this Committee would like to think about that.

Secretary BENNETT. Wouldn't you prefer to see this come up through State legislators, legislatures and Governors?

Mr. SCHEUER. I mean, I'd prefer to have a Head Start Program in all of the 50 States, but they didn't have a Head Start Program and it was left to Congress to put out a Head Start Program as a creative program under Title I of the Elementary and Secondary Education Act and that set a standard. That provided models and now a lot of States have gone ahead.

Now, I think you have a germ of an excellent idea here. Why don't we require States to do that? If you want the authority for that, I think this committee would—I can't speak for any member of the Committee but myself, but I think the committee might be very well inclined to give you that authority.

Secretary BENNETT. Well, I might be, I'll certainly be happy to think about it. One of my difficulties is, Mr. Scheuer, that this may be a germ of a great idea, but by the time this germ grows in the Congress, it may be a beast that I would want to kill rather than have.

Mr. SCHEUER. Why don't you think about it and give us a little memo on this subject?

Secretary BENNETT. Yes, I'll give you a memo.

Mr. SENSENBRENNER. Excuse me. I don't think Mr. Shaw's time has expired yet.

Mr. SHAW. Thank you. I'd like to follow up a little bit, Secretary Bennett.

You said that out of all the colleges that you suggested to that they write letters to their returning students, that only 12 complied. I'd like to know which 12 those are. Do you have that information with you or could you send a list?

Secretary BENNETT. Yes, I have a list. I wouldn't want to suggest that the 3,188 who didn't, all don't care. A lot of them do. A lot of them have done things, but there wasn't an overwhelming response on this issue.

Mr. SHAW. I'm not saying they don't care.

Secretary BENNETT. A lot of them don't care enough.

Mr. SHAW. But I think that the ones that did do that are focusing on the problem and I think that your testimony makes it very clear that maybe this is not high enough in the priorities of the people that are making the decisions for the universities across this country when they allow these things to go on right under their nose.

Is there a way—do you have those now?

Secretary BENNETT. I remember some of them. Norwich, University of Indianapolis, Westminster College in Missouri, St. Johns College in Maryland, the University of Virginia, Mount St. Mary College in New York, the University of Maryland. The University of Maryland, of course, has been discussing this issue rather intensely over the last year—and perhaps a couple of others.

Mr. SHAW. Well, I'm a graduate of the University of Alabama and also Stetson University, and I intend to write both of those universities and ask them why they didn't write that letter to their

returning students or make it known or communicate it in some way and I would hope that other Members of Congress or other alumnis of colleges across the country would write their universities and particularly the private ones, who are dependent upon fundings or speak through the State legislatures to the State universities as to why they're not doing this.

Is there a way that you, as the Secretary of Education, can in some way evaluate colleges and universities as to who is really interested in this and making that information public?

Secretary BENNETT. Well, we can to a certain extent. We can certainly send model programs to universities as an example.

Mr. SHAW. I think that is very important and I can tell you as a father with two kids in college next year, I certainly would like to be able to evaluate their school as to what they're doing about it and I think parents across this country would. We're always rating them as far as on every other thing, but perhaps the most important thing, the thing that can destroy their future, not make it, but destroy it, drugs, is a thing that we don't rate the colleges on and maybe we should. We should start talking about the very best and the very worst.

Secretary BENNETT. We don't rate them on anything, really, because you don't want the Federal Government's list of favorite institutions—most favorite, least favorite—but this is something that higher education organizations could do, a list by their likes, exemplary institutions on this issue.

We have not found what I would call a tremendous degree of ardor on the part of the higher ed groups to address this issue, however.

Mr. WALTERS. In light of questions about what we're doing, I could say there's two things on this.

Point one, we initiated, as part of an ongoing higher ed survey, a study of drug policies and practices. A final report of that survey will be available shortly.

In addition, as part of the Federal activities, discretionary activities, we are putting in place plans to start up a network of colleges working on prevention, and we'll provide some support and encouragement to them to allow colleges to join in this effort in addition to the two programs mandated by the Drug Free Schools and Communities Act that we also have up and running.

So we have looked at the character of policies and practices at higher education. We're trying to provide some incentives in addition to the act for students to motivate colleges and universities because we know there are a lot of students there. We're looking at what's going to be the result of the applications we have sought under the act for both campus-based programs and college training programs for teachers and educators.

Obviously, colleges and universities can do a lot more and we're trying to push as hard as we can within the authority we have.

Mr. SCHEUER. Congressman Sensenbrenner.

Mr. SENSENBRENNER. Thank you very much, Mr. Chairman.

I regret the contentious nature of the first part of this hearing because I do strongly believe that we're all in this business together. I for one recognize the limits the Federal Government has relative to jurisdiction over local schools. In my State, even the State

government does not have much jurisdiction over local schools since the State law gives each elective school board exclusive authority over the curriculum and methods of instruction and textbooks within the local school district.

Now, having said that, let me say that I think there is one thing that we ought to be a little bit more concerned about in trying to dry up the demand and that is approaching teenagers at both the high school and college level with programs that don't preach. These people are adolescents. Any time an older person, defined as anyone over the age of 25, says that they should do something or not do something, it kind of whets the appetite of an adolescent in that they like to go after the forbidden fruit and pluck it off the tree.

I have served in elected public office almost 20 years now and have made it a point to make the rounds of high schools and colleges and universities in my respective districts during that period of time. And, one thing I noticed about 15 years ago, when LSD use was rampant in the schools and in my legislative district, was as soon as there was some medical evidence that using LSD caused genetic damage and might ruin one's sex life in the future, that got the teenagers' attention and the LSD use completely dried up almost overnight simply because the teenagers didn't want to take the risk of ruining that.

What are we doing at the Federal level to provide appropriate non preachy programs using medical evidence and perhaps other evidence to help the teenagers convince themselves and thus reduce the peer group pressure to go into drugs?

Secretary BENNETT. The evidence, the kind of arguments that are provided in various publications that are distributed under the authority of the Act and previous to the authority of the Act, argue on many levels and they're somewhat like what I think you'd call alternative pleadings in the law. You start with a great deal of medical evidence about the effect of this on your body, on your mind, on your motivation, on your attention, on your ability to function as an alert human being. There's other arguments about how it will affect you psychologically and then indeed, there are arguments about your own sense of self worth and convictions.

I agree with you about not being preachy. I agree with you about not moralizing, but I wouldn't want to rule out "a priori," the giving of good reasons, including reference to one's own self regard and self respect. So, we throw everything that we can think of, that we have seen advanced by others, in making the arguments, in all of the material that we distribute.

But even there, Congressman, that's just part of it. That's just part of the argument. That is part of the argument one makes to a young person about why he or she shouldn't use drugs. Reasons that you should take for yourself, young man or woman, and internalize and perhaps make part of your own motivation, but we have found it true that what moves young people is not only arguments of that sort, but also policies which will suggest for the use of drugs there will be consequences which will be unpleasant which they will not like, like their parents being called in to school or perhaps suspension for a few days.

It would be nice to think of our 14- and 15-year olds all as young Platos, as rational philosophers for whom a good reason would be sufficient to action. That's just not the way it is, so that's why we have this kind of eight part argument.

Mr. SENSENBRENNER. Yes, I certainly don't say that non preachy information is the exclusive remedy to the drug problem, it's a multifaceted problem that requires a multifaceted solution, and obviously more discipline in the schools will be a tremendous help. When you violate the law, the police get called and you go to court rather than getting coddled. That gets people's attention as well. I was just concerned about this particular facet because with the experience I have had in high schools and colleges and universities during my period of service in an elected public office, I found that when I start preaching, the buzzing in the back of the room gets up to a dull roar. When I start giving some relevant information, it quiets down real quick.

Thank you.

Secretary BENNETT. Right. Yes, sir.

Mr. SCHEUER. I completely agree with the remarks of my colleague from Wisconsin. I think he's really on to something. The preaching doesn't go over with teenagers or kids in their 20's. They want the facts, man, and when you give it to them, it helps concentrate their minds.

I'm impressed with this booklet and I'm reading from Page Roman numeral VII in the beginning, what can we do for parents.

We can help them help their children to resist peer pressure to use drugs by supervising activities, knowing who their friends are, talking to them about their interests and problems and we can help them to be knowledgeable about drugs and the science of drug use. This is great.

What I would like to see coming out of the Department of Education is curriculum materials to help kids be knowledgeable about drugs, to help them know who their friends are and how to talk to their friends about drugs. I'd like to see a piece of paper that we can put in the hands of every school kid in the United States in the elementary and secondary years, perhaps differentiating by age groups.

I'd like to see us produce a piece of paper for parents, help them identify the signs of drug abuse by their kids, to help them communicate with their kids. Parents in American aren't communicating very well with their kids, either about drug abuse or about sex abuse or about alcohol abuse or about tobacco abuse. We've got to help parents communicate with kids in a meaningful, non preachy way, as Congressman Sensenbrenner rightly said.

And to me, it's symbolic that you print a million and a half copies of something that could be very good, with no evident ability to get it into the hands of teachers and parents, for whom it's meant, and with no effort that I know about to produce a piece of paper for parents and another piece of paper for kids that would help concentrate their minds on how they can cope with drug abuse for the kids themselves and for the parents, how they can help their kids cope with drug abuse.

I think you're on the right track here. This is an excellent piece of work, but in terms of outreach to parents, to kids, to school

teachers, to community leaders, to religious leaders, I just don't see what's happening. It seems to me you're going elephant hunting with a mouse rifle. You really don't have the tools to do the job.

I do recognize and nobody here is bringing into question your commitment, your concern, your essential decency, your high intelligence.

Secretary BENNETT. Thank you.

Mr. SCHEUER. We concede all of those things. What we think is that you haven't armed the communities of America. You haven't given them the armament, you haven't given the schools the wherewithall, you haven't teachers, you haven't given community leaders, you haven't given parents, you haven't given kids either curriculum material or the educational material for their own use to cope with the problems of drugs.

Secretary BENNETT. Well, I need to go, Mr. Chairman, as you know, and as you promised I could, at 11.

Mr. SCHEUER. Before you go after you've made whatever remarks, I do want to yield to Congressman Gilman for just a few moments.

Secretary BENNETT. Go ahead, but I really need to go.

Mr. GILMAN. Are you going to respond to the Chairman?

Secretary BENNETT. No, I have to leave, so I will pass on my time so you can have your comment.

Mr. GILMAN. Mr. Secretary, again, in meeting with law enforcement people throughout the country and meeting with educators throughout the country, they do not have the perception that we're doing an effective job in demand reduction.

I want to commend you, incidentally, for this pamphlet that you're distributing now, "Schools Without Drugs, A Challenge." I think it's an excellent one. I hope that you would make it available to all of the members of Congress so that we know how you're distributing it and where you're distributing it, possibly to answer some of Mr. Scheuer's concern about just how it is getting in the hands of everyone.

Mr. WALTERS. It's mailed to every school bimonthly, every elementary, middle school and secondary school. We've already sent out two issues of it.

Mr. SCHEUER. To whom?

Mr. WALTERS. Every school in the United States receives this.

Mr. SCHEUER. A school is a piece of real estate. Let's talk about people. Are they getting to every teacher?

Mr. WALTERS. They are sent to every principal and copies are sent to every member as well. I'm informed, and I can't help what happens in your office.

Mr. GILMAN. And the policy statement too is sound, but there still is a perception out there that we don't have a sound and effective policy and maybe that's a matter of communication and if it is, I hope you would take a look at that.

I still have trouble communicating what that educational policy is and perhaps you might want to distribute a succinct policy statement. As you know, the Attorney General, this past week, issued a statement on who the lead agencies are.

The Department of Education has been designated the lead Federal agency for reducing drugs in the schools and the special assist-

ant, I assume that's you, Mr. Walters, in the Department of Education chairs a subcommittee on prevention education.

Mr. WALTERS. Yes, sir.

Mr. GILMAN. Why don't you give us a statement that we can utilize, a succinct statement, of what you're doing in prevention education throughout the country?

The other area that I would like the Secretary to address, was when you remarked earlier that New York is having some problem. What is the problem with the New York application for funding?

My New York people tell me they don't have any funding yet.

Secretary BENNETT. They put in an application which was—you want this publicly discussed? It's their problems; they'll be able to fix them. But one issue was that there was no involvement or very little involvement on the part of small school districts.

We understand the intensity of the drug problem in large school districts in New York, but we think that small school districts have the problem too and ought to be involved in any funding plan.

They'll fix it; they'll get it in, but they can't blame us for not having money.

Mr. SCHEUER. Congressman Guarini.

Mr. GILMAN. Is there something that we can do to help them expedite the funding?

Secretary BENNETT. We're on the phone with them pretty constantly, every week, and they now know what our complaint was about it, and I think they're going to fix it.

Mr. GUARINI. Mr. Secretary, do you have jurisdiction programs for dropouts and many of the illiterates that we have in our country? I'm wondering how we are able to reach them because obviously, a booklet isn't going to be sufficient, there's no curriculum that's going to be sufficient.

Is that within your purview and could you tell us if anything has been done there?

Secretary BENNETT. John.

Mr. WALTERS. Yes. You may remember in the act itself, funds are allocated through the Governor's portion for high risk youth that includes dropouts. Those monies we expect to be in place in programs shortly.

Also, the Department of Health and Human Services, under the act, has responsibility for community based programs some of which will include dropouts and illiterate students. We are working with them to make sure these programs are coordinated.

Mr. SHAW. Mr. Chairman, I'd just like to make one quick point and I will say this as the Secretary walks out the door.

I don't think that we've ever had a Secretary of Education who has been more involved or more visible in the fight against drugs as Secretary Bennett and I certainly want to commend him for it and I know that you have the admiration of this committee, despite some differences that might be expressed on levels of funding.

Secretary BENNETT. Thank you. If you're going to stay on that tack, I'll stick around a little longer.

Mr. SCHEUER. Thank you very much, Mr. Secretary.

[Whereupon, at 11:10 a.m., the committee was adjourned.]

PREPARED STATEMENTS

OPENING STATEMENT

OF

CHARLES B. RANGEL

SELECT COMMITTEE ON NARCOTICS ABUSE AND CONTROL

HEARING ON

DRUG ABUSE PREVENTION IN AMERICA'S SCHOOLS

TUESDAY, JUNE 9, 1987

GOOD MORNING.

THE SELECT COMMITTEE ON NARCOTICS ABUSE AND CONTROL IS PLEASED TO WELCOME EDUCATION SECRETARY WILLIAM BENNETT WHO WILL TESTIFY TODAY ABOUT THE DEPARTMENT OF EDUCATION'S ROLE IN DRUG ABUSE EDUCATION.

DRUG ABUSE AMONG OUR COUNTRY'S YOUTH IS A NATIONAL TRAGEDY. THE MOST RECENT ANNUAL SURVEY OF DRUG USE BY HIGH SCHOOL SENIORS SHOWS THAT 60 PERCENT HAD USED ILLICIT DRUGS. MOST DISTURBING IS THAT COCAINE USE IS AT AN ALL-TIME HIGH OF 17 PERCENT. EXPERTS AGREE THAT DRUG USE BY OUR YOUNG PEOPLE IS GREATER THAN IN ANY OTHER INDUSTRIALIZED NATION IN THE WORLD.

IN HIS WEEKLY RADIO ADDRESS ON MAY 30, 1987, THE PRESIDENT ANNOUNCED THAT THE DEPARTMENT OF EDUCATION HAS BEEN DESIGNATED THE LEAD AGENCY FOR COORDINATING FEDERAL EFFORTS TO MAKE OUR NATION'S SCHOOLS DRUG FREE. THE ONLY SURPRISING THING ABOUT THAT ANNOUNCEMENT WAS THAT IT HAD TO BE MADE AT ALL, BECAUSE WE HAD ALWAYS ASSUMED THAT THE DEPARTMENT OF EDUCATION SHOULD BE THE FEDERAL AGENCY TO PROVIDE NATIONAL LEADERSHIP FOR DRUG ABUSE PREVENTION IN OUR SCHOOLS.

THIS MORNING WE WANT TO EXAMINE WHAT THAT LEADERSHIP RESPONSIBILITY ENTAILS. MORE IMPORTANTLY, WE HOPE TO LEARN JUST WHAT

THE FEDERAL PROGRAM FOR DRUG ABUSE EDUCATION IS, BECAUSE QUITE FRANKLY, WHEN OUR CONSTITUENTS ASK US WHAT HELP IS AVAILABLE FROM THEIR FEDERAL GOVERNMENT TO BOLSTER DRUG ABUSE EDUCATION EFFORTS IN THEIR SCHOOLS, WE DON'T KNOW WHETHER THERE IS A PROGRAM.

WE ARE VERY AWARE OF THE OUTSTANDING DRUG ABUSE PREVENTION EFFORTS BY FIRST LADY NANCY REAGAN. WE APPLAUD HER FOR THE FINE JOB SHE IS DOING TO INCREASE PUBLIC AWARENESS OF DRUG ABUSE PROBLEMS AND TO STIMULATE PARENTAL AND COMMUNITY INVOLVEMENT IN PREVENTION ACTIVITIES. BUT SHE IS NOT IN CHARGE OF ANY AGENCY AND DOES NOT HAVE A BUDGET FOR ANY FEDERAL PROGRAM THAT I AM AWARE OF.

WE ALSO KNOW THAT THE DEPARTMENT OF EDUCATION HAS DISTRIBUTED OVER 1.4 MILLION COPIES OF ITS LITTLE RED BOOK, <u>WHAT WORKS, SCHOOLS WITHOUT DRUGS</u>. THIS IS A CONCISE, HELPFUL RESOURCE GUIDE, AND WE CONGRATULATE THE DEPARTMENT FOR UNDERTAKING THIS INITIATIVE. BUT ONE BOOKLET DOES NOT A PROGRAM MAKE.

AND WE KNOW FROM THE SECRETARY'S APPEARANCE BEFORE OUR COMMITTEE LAST YEAR THAT THE DEPARTMENT'S APPROACH TO DRUG EDUCATION IS "ZERO TOLERANCE." THIS MEANS CLEAR AND FIRM ENFORCEMENT OF THE LAWS AND RULES AGAINST DRUG USE AND DRUG DEALING IN SCHOOLS, AND EXPULSION OF VIOLATORS.

WE HAVE NO PROBLEM WITH STRICT ENFORCEMENT OF THE LAW. BUT OUR TOP LAW ENFORCEMENT OFFICIALS AT THE FEDERAL, STATE AND LO-

CAL LEVEL HAVE BEEN TELLING US THAT LAW ENFORCEMENT IS NOT THE ANSWER. THE KEY TO SOLVING THE DRUG PROBLEM, THEY SAY, IS TO REDUCE THE DEMAND FOR DRUGS THROUGH COMPREHENSIVE DRUG ABUSE EDUCATION AND PREVENTION PROGRAMS IN OUR SCHOOLS.

SO WE ASK, "WHAT HAPPENS TO THE KIDS AFTER THEY ARE KICKED OUT?" AND FOR THOSE WHO REMAIN, WHAT ARE WE DOING TO TEACH THEM WHY DRUGS ARE WRONG AND HARMFUL SO THEY WILL BE ARMED TO REJECT DRUGS WHEN THEY ARE NOT IN SCHOOL?" AND THE ADMINISTRATION SAYS, "THAT'S A STATE AND LOCAL PROBLEM."

WELL, LAST YEAR CONGRESS DECIDED OVERWHELMINGLY THAT THE FEDERAL GOVERNMENT DOES HAVE A STRONG RESPONSIBILITY TO HELP STATE AND LOCAL GOVERNMENTS FIGHT THIS NATIONAL PLAGUE OF DRUG ABUSE THAT IS INFECTING OUR SCHOOLS AND ENDANGERING OUR CHILDREN. THE DRUG-FREE SCHOOLS AND COMMUNITIES ACT OF 1986 WAS A CORNERSTONE OF LAST YEAR'S OMNIBUS ANTI-DRUG ABUSE ACT. WITH ILLICIT DRUG PRODUCTION ABROAD INCREASING YEAR BY YEAR, AND WITH OUR INTERDICTION AND ENFORCEMENT EFFORTS CAPABLE OF STOPPING ONLY A SMALL FRACTION OF THE ENORMOUS DRUG TRAFFIC, WE TOOK ACTION TO PROTECT OUR CHILDREN FROM THE RISING ONSLAUGHT OF DRUGS.

THE ANTI-DRUG ABUSE ACT ESTABLISHES A PROGRAM OF FEDERAL ASSISTANCE TO FOSTER COMPREHENSIVE DRUG ABUSE EDUCATION PROGRAMS FOR OUR STUDENTS AT THE ELEMENTARY, SECONDARY AND POST-SECONDARY LEVELS. CONGRESS PROVIDED $200 MILLION FOR THIS PROGRAM IN 1987, $250 MILLION FOR 1988 AND $250 MILLION FOR 1989.

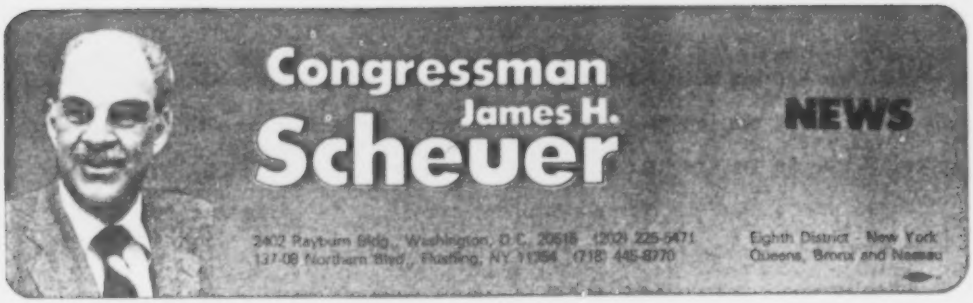
THE PRESIDENT SIGNED THE ANTI-DRUG ABUSE ACT AT AN ELABORATE WHITE HOUSE CEREMONY LAST OCTOBER. BUT JUST OVER TWO MONTHS LATER, HIS 1988 BUDGET PROPOSED TO SLASH DRUG EDUCATION SPENDING BY $100 MILLION BELOW 1987 FUNDING AND $150 MILLION BELOW THE AUTHORIZED AMOUNT FOR 1988.

I HAVE NO DOUBT THAT CONGRESS WILL REJECT THIS AND OTHER CUTS PROPOSED FOR DRUG PROGRAMS IN THE PRESIDENT'S 1988 BUDGET. WE WILL KEEP THE PROMISE MADE TO THE AMERICAN PEOPLE LAST YEAR TO MAKE DRUG ABUSE A HIGH NATIONAL PRIORITY. IN FACT, JUST RECENTLY THE HOUSE PASSED H.R. 5, THE SCHOOL IMPROVEMENT ACT OF 1987, WHICH EXTENDS THE DRUG-FREE SCHOOL AND COMMUNITIES ACT THROUGH 1993. THE BILL ALSO REMOVES ANY FUNDING CEILING ON THE DRUG PROGRAM FOR 1989 THROUGH 1993, PROVIDING FLEXIBILITY FOR THE PROGRAM TO GROW AS NEEDED, AND INCLUDES SOME AMENDMENTS TO IMPROVE ACCOUNTABILITY.

I URGE THE ADMINISTRATION TO REALIZE THAT CONGRESS IS SERIOUS ABOUT THE COMMITMENT WE BEGAN LAST YEAR, AND I ASK THE ADMINISTRATION TO WORK WITH US TO ASSURE EFFECTIVE IMPLEMENTATION OF THE ANTI-DRUG ABUSE ACT. THE REAL QUESTION THAT REMAINS IS WHETHER WE WILL HAVE A PROGRAM THAT JUST THROWS MONEY AT STATES AND LOCALITIES, OR WHETHER WE WILL HAVE A PROGRAM WITH THE KIND OF ACTIVE FEDERAL LEADERSHIP BY THE DEPARTMENT OF EDUCATION THAT CONGRESS INTENDED WHEN WE PASSED THE ANTI-DRUG ABUSE ACT.

SO WE LOOK FORWARD TO HEARING FROM THE SECRETARY TODAY. WE WANT TO FIND OUT HOW IMPLEMENTATION OF THE ACT IS PROGRESSING. WE ALSO WANT TO HEAR WHAT STEPS THE DEPARTMENT IS TAKING TO DEVELOP, IDENTIFY AND MAKE AVAILABLE AS WIDELY AND AS QUICKLY AS POSSIBLE MODEL DRUG ABUSE EDUCATION PROGRAMS AND CURRICULA THAT SCHOOLS CAN USE AS GUIDES. WE WANT TO KNOW HOW THE DEPARTMENT WILL PROVIDE TECHNICAL ASSISTANCE TO HELP SCHOOLS IMPLEMENT THESE MODEL STRATEGIES. WE WANT TO KNOW HOW THE DEPARTMENT PLANS TO EVALUATE STATE AND LOCAL EFFORTS UNDER THE ACT SO WE WILL BE ABLE TO SAY WHAT IS, AND WHAT IS NOT, WORKING. AND IF THE DEPARTMENT DOES NOT HAVE ADEQUATE AUTHORITY TO PROVIDE THIS TYPE OF STRONG NATIONAL LEADERSHIP, WE WANT TO KNOW WHAT WE IN CONGRESS NEED TO DO TO REMEDY THE SITUATION.

AT THIS POINT, I YIELD TO MY COLLEAGUES ON THE SELECT COMMITTEE WHO WISH TO MAKE OPENING REMARKS.



OPENING STATEMENT OF REP. JAMES H. SCHEUER
SELECT COMMITTEE ON NARCOTICS ABUSE AND CONTROL
HEARING ON DRUG ABUSE PREVENTION IN SCHOOLS
JUNE 9, 1987

The Select Committee on Narcotics Abuse and Control welcomes Education Secretary William Bennett, who will testify about the Department of Education's role in drug abuse education.

Over the past decade, our government has spent vast sums of money in its war on drugs for enforcement, interdiction and eradication. Drug education has alway received the short end of the financial stick.

For years, I have said that the only way to halt the scourge of drug abuse that is seducing our youth in every city, town and hamlet in our nation is by stopping the demand for drugs. The last decade has shown us that efforts to halt the supply of drugs are futile -- we never succeeded in stopping more than 10 or 15 percent of the drugs coming into this country, no matter how much money we spent. But if no one wanted to buy the drugs -- if the demand dried up -- drug trafficking would no longer be financially lucrative.

Virtually everyone involved in anti-drug abuse efforts -- law enforcement officials, politicians, educators, community leaders and parents -- now all agree that we must stop the demand for drugs.

Last year, Congress passed legislation -- the Omnibus Anti-Drug Abuse Act -- which finally provided the necessary funding to establish comprehensive drug abuse programs at our nation's sc But the President's fiscal year 1988 budget called for major reductions in needed drug education funding. I am confident that Congress will ignore the President's ill-advised budget request aned supply the needed funds -- but the attitude of the Administration concerns me. After reaping the public relations benefits from signing an important drug bill, the President turned around and attempted to slash the education component by 60 percent.

I look forward to hearing Mr. Bennett's reasoning concerning the Reagan Administration's reduction in drug education f If we are ever going to succeed in halting drug abuse, we must make a strong effort to modify the behavior of all Americans -- particularly our youth -- toward illegal drugs.

We have succeeded in changing behavior among Americans before -- just witness the recent reduction in cigarette smoking, the changes in dietary habits, the exercise mania, or current attitudes about drinking and driving. We can succeed in changing behavior in terms of drugs, too -- but it will require our nation to commit itself to a massive education program aimed at every level of our society.

It will not take place overnight -- and it will not take place on the cheap -- but it can be done. Every day, every week and every month that we delay planning and funding for drug

education programs will mean more devastated lives, hope, careers, and communities.

Our nation has gone through too much trauma to accept lip service from this Administration. It isn't enough for the Administration to preach "Say No to Drugs" out of one side of its mouth and say no to drug education funding out of the other side.

It is time to take serious steps to educate our youngsters and other drug abusers in our society that life is a natural high and drugs lead to destruction of careers, families and lives.

# # #

TESTIMONY OF
WILLIAM J. BENNETT
SECRETARY OF EDUCATION

BEFORE THE HOUSE SELECT
COMMITTEE ON NARCOTICS ABUSE AND CONTROL
June 9, 1987

Mr. Chairman and Members of the Committee, I am pleased to be here today to testify on the Administration's efforts to help eliminate drugs from schools.

Since I testified here a year ago, we have seen a host of activities on the drug front. Among other things, we have seen a growing public perception of the seriousness of the Nation's drug problem: In the last annual Gallup Poll on education, the American people identified drugs as the single greatest problem facing their public schools. In doing so, they joined in what children have been telling us for years. In addition, my visits to schools and my talks with parents, students, educators, and law enforcement officers have convinced me that with this growing awareness has come a strengthened resolve to sweep drugs from American schools and communities.

In the past year, the Department of Education also has been actively involved in efforts to turn the tide against student drug use. We have focused primarily on identifying and fostering what works in preventing student drug use. Our approach has been comprehensive, addressing drug use in elementary, secondary, and postsecondary institutions. And, because no school is an island, we have offered guidance on confronting drug use in the

community as well. All our efforts have been joined in the common interest of getting drugs away from young people and, above all, out of our schools.

Chiefly, we have helped inform and galvanize the public through a book that has become one of the most sought-after federal documents ever published, the guide to local drug prevention, Schools Without Drugs. Since its release last fall, over one and a half million copies of Schools Without Drugs have been distributed; the book is now in its second printing.

To follow up on the guidance provided in Schools Without Drugs, we have mobilized the resources of the Education Department to assist communities in the actual implementation of effective anti-drug programs. Allow me to mention a few of our achievements.

o We have established or expanded 10 different programs to provide funds or information to elementary, middle and high schools and to colleges and universities.

o Regulations have been published to allow grant applicants for the Secretary's Discretionary Fund to seek support to develop and replicate successful school programs.

o We are establishing an independent board to formulate detailed criteria for the selection of effective prevention curricula.

o The Department's Office of Educational Research and Improvement has been directed to establish a college prevention network program, to conduct research on how to improve school-based prevention, and to establish a program to recognize individual schools' anti-drug efforts in the 1987-1988 school year.

o Through both the Fund for the Improvement of Postsecondary Education and the Secretary's Discretionary Fund, we are

offering grants to help colleges and universities address their drug problems. Grants from the Fund will go toward campus-based prevention programs, and funds from the Discretionary Fund will support demonstration and training projects. Both programs will fund proposals for the coming school year.

o We are also establishing a means of disseminating successful programs through our regional centers and the Department's new newsletter, "The Challenge."

These are some of the steps we at the Department of Education have initiated to help stem drug use among the young. They are important contributions. And with the Drug-Free Schools and Communities Act of 1986, they constitute a considerable Departmental campaign against drug use by young people.

Allow me to speak particularly about the Drug-Free Schools and Communities Act. I think we are in agreement that the Act represents a milestone in the federal campaign against drug use. The Department has implemented the program with all deliberate, appropriate speed. In January, we conducted a conference for State representatives to assist them in getting their programs underway. By the end of May, 49 applications had been received. To date, the proposals of 38 State Education Agencies and 33 Governors have been funded. In these States, funds provided by the Act will be going to work in the coming school year. The Department is reviewing the remaining applications to ensure that they meet the requirements of the law. We have contacted those States that have not yet submitted applications to offer guidance.

I would like briefly to address the two most important issues currently before the Congress regarding the Drug-Free Schools and

Communities Act. First, funding. We have asked for $100 million for the Act in 1988. Others have suggested $200 or $250 million. This does not mean, as some seem to calculate, that we are half as concerned about the drug problem as the Congress. The fact is that, other than its symbolic significance, we see no reason to choose $250 million over $100 million. Our best estimate, after a year of administering the Act, is that $100 million is an appropriate federal contribution for the year ahead. Reasonable people can differ on this. But it is my belief that in these times of budget deficits, and in an endeavor dependent far more on effort than on cash, it is better to exercise responsibility and opt for frugality, however impressive the larger sum may sound.

The second point I would like to make follows from the first. And that is this: Just as money is an insufficient measure of commitment, so is it an insufficient substitute for action. All too often, it seems that in Washington the reflex is to dodge the tough stand, and to appropriate a little extra cash as a palliative. But the fact is that hard problems require hard action, difficult decisions. This is not as easy a response as spending, but it is at least as important a factor in achieving success.

Mr. Chairman, earlier this year you emphasized your desire for guidance from the Department, as the federal government's chief education experts, on the elements essential to an effective federal education policy to remove drugs from schools. That is precisely the purpose of our amendments to the Drug-Free Schools and Communities Act. They are meant to provide guidance, leadership,

direction, and teeth to the federal effort to get drugs out of schools.

Among other things, our amendments would require that school districts receiving funds explain the policies and programs that they institute to address drug and alcohol use; our amendments would require districts to monitor regularly the effectiveness of their programs. In order to receive future funds, districts would have to show reasonable progress toward reducing their drug and alcohol problems, or show that they had altered ineffective strategies. In short, our requirements would require assessment, they would institute accountability, and they would demand progress. We are pleased that parts of these amendments have been incorporated in HR 5, the School Improvement Act of 1987, as passed by the House. But I believe that their inclusion in their entirety would be in the best interest of creating a forceful federal program for helping to remove drugs from schools.

The principles underlying our amendments -- assessment and accountability -- are already accepted as fundamental to sound education policy generally. In their blueprint for federal education efforts, the Nation's governors gave special emphasis to the need to reward performance. And, during this session of Congress, the Admininstration has reached a firm agreement with the House Education and Labor Committee on the importance of introducing more assessment and accountability to one of the most important federal education programs, Chapter 1 aid for disadvantaged children.

In short, assessment and accountability are what work in education management. This is to say nothing of effective financial management. I doubt there is another city in the country where the leaders of the largest employer in town sit around to debate distributing millions of dollars to subcontractors without having some means of assessing how effectively the subcontractors are deploying that money, and without having some plan for correcting problems if money is being spent ineffectively. Incidentally, when responsible financial managers do sit down to discuss expenditures, it is usually the one advocating the greatest spending who is most anxious that there be effective means and devices for ensuring that the money is well spent. The more we spend, the more careful we should be to ensure that that money is spent well.

Mr. Chairman and Members of the Committee, this is my view of where the federal government has come and where it has yet to go in ending youth drug use. We may have our disagreements. But let me conclude by saying that above all -- above all our differences -- I look forward to working with you toward our common purpose: removing illegal drugs from our schools and from the lives of our children.

CHARLES B. RANGEL, NEW YORK
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U.S. House of Representatives
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STAFF DIRECTOR
ELLIOTT A. BROWN
MINORITY STAFF DIRECTOR

June 8, 1987

MEMORANDUM

To: Charles B. Rangel

From: Edward Jurith, Staff Director

Subject: Update on the U.S. Department of Education's Drug education programs

The Anti-Drug Abuse Act of 1986 authorized additional funds for the Department of Education for drug abuse education programs. The Department has provided a progress report on the programs funded under the Anti-Drug Abuse Act. It is attached.

For the Select Committee's February 26th hearing on drug abuse education and the Anti-Drug Abuse Act of 1986, staff prepared a memorandum describing the programs created under the legislation. That memorandum is also attached for your information.

MEMORANDUM

UNITED STATES DEPARTMENT OF EDUCATION
WASHINGTON, D.C. 20202

JUN 1 1987

TO : Diane Carter

FROM : Dick W. Hays, Chairman, OESE Drug-Free Schools Task Force

SUBJECT: State and Local Program Tabulation as of 06/01/87

DRUG-FREE SCHOOLS AND COMMUNITIES ACT OF 1986

	Applications Received	# of Awards SEA	# of Awards GOV
States	44	36	31
D.C. and Puerto Rico	2	1	1
Insular areas (Guam, VI, etc.)	3	1	1
TOTAL	49	38	33

The total amount obligated as of 06/01/87: $90,991,473

UNITED STATES DEPARTMENT OF EDUCATION
WASHINGTON, D.C. 20202

OFFICE OF THE SECRETARY

May 22, 1987

DRUG PROGRAM UPDATE

The following is an update on the Department of Education's drug program:

State and Local Programs - After the January conference for State representatives on model programs, non-regulatory guidance, and application procedures, the Department began accepting State applications and started funding these at the beginning of March. As of May 14, the Department had received 46 State applications and had funded 36 SEA applications and 30 governors proposals. The Department is reviewing the other 10 to ensure that the applications meet the requirements of the law. As of this date, May 22, 1987, $85,727,909 have been obligated.

Audio-Visuals - The Department's Office of Public Affairs will fund the production and distribution of high quality films for elementary, middle and high school students. Films will be available in 1988-1989 school year.

Grants for Institutions of Higher Education (IHEs) - Both of the grant programs for colleges and universities are proceeding well. The Fund for the Improvement of Postsecondary Education published the notice of a grant competition for prevention programs for institutions of higher education on March 17. Proposals are due on May 21. The Secretary's Discretionary Fund published its proposed regulations on April 23. This grant program will be for demonstration and training programs. Both programs will fund proposals for the next school year.

Programs for Indian Youth - The Department is working with the Department of the Interior (Bureau of Indian Affairs) to complete a memorandum of agreement to implement an effective program. The Office of Elementary and Secondary Education has targeted May for the memorandum of agreement for the transfer of funds to Interior. This transfer of funds is anticipated by the end of May.

Programs for Native Hawaiians - The Office of Elementary and Secondary Education has published proposed regulations for this program and is in contact with the office of the Governor of Hawaii. The funds should be available in August.

Regional Centers - The Office of Elementary and Secondary Education will award cooperative agreements to five regional centers by October 15.

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Federal Activities - The Department is conducting a number of projects under this category. The Secretary's Discretionary Fund has published regulations for grants to develop and replicate successful school programs. The Department will also continue "The Challenge" campaign designed to mobilize local school and community support for anti-drug programs. The Office of Interagency and Intergovernmental Affairs is overseeing this effort. As of May 22, there were over 659 schools and 110 school districts as members. In conjunction with the campaign, the Department is publishing a bi-monthly newsletter to highlight successful programs, provide the latest research on effective prevention measures, and answer questions about school-based efforts. The first issue was completed at the end of March and the second issue will be mailed out in May.

The Department is also studying the feasibility of establishing an independent board to establish sound drug curriculum criteria. In addition, the Office of Educational Research and Improvement will establish a college prevention network program, will perform research to explore ways of improving school-based prevention, and will establish a school recognition program for the 1987-1988 school year in the area of anti-drug efforts. Finally, the Department continues to publish and distribute Schools Without Drugs (currently at over 1,456,142 copies distributed) and fund the ED-HHS report due to Congress and the President on October 27.

The Department has participated in efforts with other agencies:

HHS - established task forces in areas of curricula, media, research, reports, in-service training, colleges and universities, the newsletter and the clearinghouse. Put in effect a Memorandum of Understanding transferring 500,000 to HHS and identifying cooperative ventures. Provided HHS with drug prevention materials for distribution. Assisted by providing HHS with information for agency publications.

State - preparing material for the June United Nation's conference on drug issues, assisted in document drafts for the delegation, and initiated a cooperative effort resulting in a national exhibit for the conference.

Transportation - working on a prevention publication for school bus drivers.

Drug Program Update - p. 3

Defense - reviewed the DOD report to Congress on the DOD schools and shared information on successful programs.

Justice - working with the Office of Juvenile Justice and Delinquency Prevention on prevention program coordination and serving on the Policy Task Force for At-Risk Youth.

White House - distributed IBM and White House sponsored anti-drug literature to schools.

The Department is also working with ACTION, DEA, HUD, USIA and Customs.

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FEBRUARY 25, 1987

TO: CHARLES B. RANGEL, CHAIRMAN

FROM: EDWARD H. JURITH, CHIEF OF STAFF

SUBJECT: HEARING ON THE IMPLEMENTATION OF THE DRUG ABUSE EDUCATION PROVISIONS OF THE ANTI-DRUG ABUSE ACT OF 1986, FEBRUARY 26, 1987

The "Drug Free Schools and Communities Act of 1986", Subtitle B of Title IV of the "Anti-Drug Abuse Act of 1986", provides the U.S. Department of Education with additional funds for drug abuse education programs. The new law authorizes an expenditure of $200 million for fiscal year 1987, $250 million for fiscal year 1988 and $250 million for fiscal year 1989. For 1987, $200 million was appropriated for these purposes. The appropriated funds will remain available until September 30, 1988 (through fiscal year 1988).

In his fiscal year 1988 proposed budget, the President has recommended $100 million for these programs. This is half the 1987 level and $150 million below the amount that the Congress authorized for 1988.

This memorandum provides a summary of the programs authorized in the legislation and the Department's implementation timetable.

State and Local Programs ($161 million, including amounts reserved for the territories)

The major portion of the drug education funds authorized in the "Anti-Drug Abuse Act" is reserved for a program of grants to the States for drug abuse education. The total amount of funds available is allocated to the States on the basis of school-age population, with a minimum allotment of one-half percent per State.

Each State's Chief School Officer will be the primary distributor of the funds within the State (70 percent). The Governor of each State has the responsibility for distributing the remaining 30 percent. A State, however, need submit only one application to the Department of Education, signed by the Governor and the Chief Education Officer.

Ninety (90) percent of the funds to be dispersed by the State education agencies will go to local and intermediate educational agencies and consortia in the State. Funds will be distributed on the basis of the relative numbers of children in the school-age population within such areas. The remaining 10 percent can be used by the State agency for training and technical assistance programs; dissemination of curricula and teaching materials; demonstration projects; and administrative costs.

Funds made available to local educational agencies are to be used for drug and alcohol abuse prevention and education programs including: the establishment of drug abuse education curricula; school-based early intervention and prevention programs; family programs; counseling; referral to treatment and rehabilitation; training; public and community education programs; programs for student athletes; and programs to identify and discipline drug and alcohol abusers. To receive funds, a local educational agency must establish, implement or augment mandatory drug abuse education programs for students in all grades from the early childhood level through grade 12. Local educational agencies must apply to their State educational agency for a grant.

Of the funds available to the Governor, at least 50 percent must be directed toward high risk youth. The remaining money is for grants and contracts with local governments and other public or private nonprofit entities (including parents groups, community action agencies, and other community-based organizations) for community-based drug abuse prevention and education programs.

According to the Department of Education, this program is being implemented on an emergency basis. The target date to begin awarding grants to the States is the March 1, 1987.

To expedite the process of distributing funds to the States, the Department of Education is not issuing new regulations. Rather, it will rely on the statute, existing regulations (the Education Department General Administrative Regulations--EDGAR), and a set of nonregulatory guidelines to be issued shortly.

To assist the States in applying for funds under the Act and the guidelines, the Department sponsored a conference on January 26-27 for representatives of the States. Approximately 170 individuals attended. Application packages, including a draft

of the proposed nonregulatory guidelines, were made available at the meeting. The Department is now accepting applications. No funds will be released to the grantees, however, until the nonregulatory guidelines are finally issued.

Higher Education Funds ($15.6 million)

The Anti-Drug Abuse Act reserves 8 percent of the funds available in any year for grants to institutions of higher education. Half of the funds available for higher education institutions are designated for drug abuse education and prevention programs for students attending such institutions. According to the Department, these funds will be distributed under an expedited time frame so that the grants can be awarded for the fall 1987 semester. Regulations will be prepared for next year.

For this year, nonregulatory guidelines for the program will be prepared. These guidelines are in draft and are under consideration within the Department. The tentative timetable is: applications available in mid-March, proposals due in mid-May, selections made in July, and awards made in mid-August.

The Act also authorizes grants to institutions of higher learning for drug abuse training programs and model demonstration programs with local schools. Regulations are being formulated. At this time, the regulations are awaiting departmental clearance and should be published in the Federal Register in February. The application packet should be available in late February; an announcement will be made in the Federal Register. It is anticipated that these grants will be awarded in mid-September.

Regional Centers ($8.8 million)

Prior to the passage of the Anti-Drug Abuse Act of 1986, the Department of Education maintained 5 regional centers around the nation to provide training to "school teams" to assess and combat drug and alcohol abuse problems. Each center was under contract to the Department. These centers were the core of the Department's drug abuse education efforts. The $3 million that the Department was spending on drug abuse education was allocated to the centers.

The Anti-Drug Abuse Act authorizes 4.5 percent of the funds to be used for the regional centers. For fiscal year 1987 this is $8.8 million. At the same time, the responsibilities of the centers are expanded to include assisting State educational agencies in coordinating and strengthening drug abuse problems, assisting local agencies and higher education institutions in developing preservice and inservice training programs, and evaluating and disseminating information on effective substance abuse education and prevention programs.

The current contracts for the 5 regional centers end in September 1987. The Office of Elementary and Secondary Education (OESE) is conducting an open competition to fund the 5 regional centers, required by law, with their expanded responsibilities. The $8.8 million will be used to fund the 5 centers, when the new contracts go into effect.

In addition to the $8.8 million authorized and appropriated for the centers in 1987, the 1987 continuing resolution included a separate $3 million appropriation for the centers. This was not intentional, but occurred because the omnibus drug bill and the continuing resolution were both moving on separate tracks in the closing days of the last Congress.

The Education Department plans to reprogram the additional $3 million for use in other drug prevention activities by the Department. In the meantime, the centers are being operated with carry-over 1986 funds, since the new contracts will not be let until fiscal year 1988.

Federal Activities under the Secretary ($6.8 million)

The Act also earmarks 3.5 percent of funds available in any year for Federal drug abuse education and prevention activities by the Secretary of Education. Activities authorized include: providing drug abuse education and prevention information to the Department of Health and Human Services for dissemination through its clearinghouse; communicating the dangers of drug and alcohol use to students at all educational levels; developing and disseminating audiovisual and other curricular materials at the elementary and secondary school levels; providing technical assistance to State, local, and intermediate education agencies in the selection and implementation of drug abuse education and prevention curricula, approaches, and programs; identifying research and development priorities; and conducting studies, in conjunction with the Department of Health and Human Services, on the effectiveness of current drug abuse education and prevention programs.

The Department of Education is presently working with the Department of Health and Human Services on a memorandum of understanding to transfer funds to HHS in order to support dissemination of Department of Education materials through the clearinghouse. The Department of Education has also responded to a request from HHS for advice on the development of research priorities. Among the research priorities identified by the Department of Education, which it may undertake, is drug use among younger students. Seniors in high school have been the subject of research sponsored by the National Institute on Drug Abuse, but drug use among younger students has not been examined.

The Department has initiated an assessment study of available audiovisual materials. This is the first stage in the

development of their own audiovisual materials for which $5.5 million has been provided for fiscal year 1987 in a separate set-aside.

The Department has also launched "The Challenge" Campaign. It is a program to support school/community efforts to establish effective prevention programs. Fourteen national organizations are supporting this initiative. To join, a school must make a commitment with parents, students, and the community to come together to address the drug problem. "The Challenge" will publish a bimonthly newsletter.

Other Programs ($2.3 million)

1.2 percent of available funds is set aside for programs for Indian youth (1 percent) and Hawaiian Natives (.2 percent).

A memorandum of agreement with the Bureau of Indian Affairs, Department of the Interior, is being developed in order to disseminate the funds for Indian Youth programs.

The Office of Elementary and Secondary Education is responsible for overseeing the distribution of funds designated for Hawaiian Natives.

Comment

The Department's approach to drug abuse education emphasizes the development and enforcement of strict school policies against drug use, and implementation of security measures to eliminate drugs from schools. This was evident in our hearing with Secretary Bennett last May. It is the prominent theme of the Department's publication, What Works--Schools Without Drugs, released last summer. During Select Committee staff discussions with the Department staff in preparation for this hearing, this theme was reechoed. The nonregulatory guidelines drafted by the Department also encourage schools to use funds obtained under the "Anti-Drug Abuse Act of 1986" for the development and enforcement of strict school anti-drug policies.

Drug-Free Schools and Communities Act of 1986

Title IV, Subtitle B of the Anti-Drug Abuse Act of 1986
(P.L. 99-570)

Total Funding
($ in Millions)

	1987	1988	1989
Authorization (P.L. 99-570)	$200	$250	$250
Appropriation (CR, P.L. 99-500)	200		
President's Request	100*	100	

* The President's request for 1987 was included in his Drug-Free America proposal, submitted to Congress on September 15, 1986, after initial House passage of omnibus anti-drug legislation on September 11, 1986. The House passed bill authorized $350 million for drug education programs.

Allocation of Funds under the Drug-Free Schools and Communities Act
(Budget Authority, $ in Millions)

	1987 Enacted	1988 Request
State and local grants.....	$161.0	$82.8
National programs:		
Audiovisual materials.....	5.5*	---
Institutions of higher education.....	15.6	8.0
Federal activities.....	6.8	3.5
Programs for Indian youth.....	1.9	1.0
Programs for Native Hawaiians.	0.4	0.2
Regional Centers.....	8.8	4.5
Total.....	200.0	100.0

* The 1987 Continuing Resolution earmarked $5.5 million of the total drug education appropriation for the development of audio-visual materials for distribution to local schools. The percentages below refer to the remaining $194.5 million.

State and local programs (82.8%) -- Funds are allocated to States and Territories on the basis of school-age population. From each State grant, 30 percent is reserved for local programs to be administered from the Governor's office. The remaining 70 percent is to be administered by the State educational agency, which in turn must redistribute at least 90 percent of its share to local educational agencies.

Grants to Institutions of Higher Education (8%) -- Competitive awards will be made to public and private institutions of higher education. At least 50 percent of the funds are to be used for programs to get drugs off college campuses. The remainder of the funds will be used for teacher training, summer institutes and workshops, and model demonstraton programs designed to assist elementary and secondary schools.

Federal Activities (3.5%) -- Funds are available for providing financial support and information on drug abuse education and prevention to the Department of Health and Human Services for its clearinghouse under the Public Health Service Act; communicating the dangers of drug and alcohol use to students at all educational levels; developing and disseminating audio-visual and other curricular materials at the elementary and secondary levels; providing technical assistance; identifying research and development priorities; and conducting studies, in conjunction with HHS, on the effectiveness of current drug abuse education and prevention programs.

Programs for Indian Youth (1%) -- Funds under this program will be awarded to tribal organizations to plan, conduct, and administer programs for Indian children on reservations served by elementary and secondary schools operated by the Department of the Interior. Special emphasis will be placed on programs for Indian children who are dropouts.

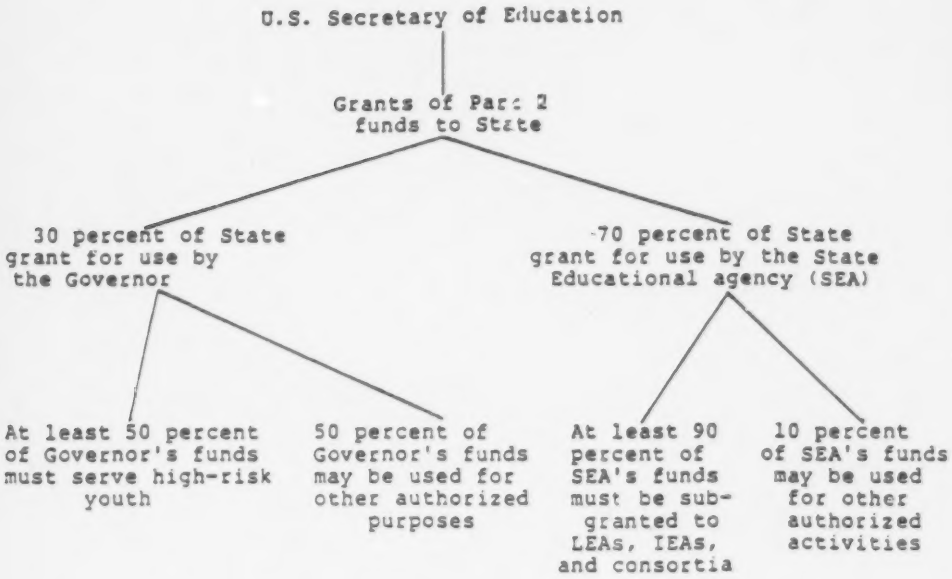
Programs for Hawaiian Natives (.2%) -- Funds will be awarded on a competitive basis to organizations that primarily serve and represent Hawaiian Natives and are recognized by the Governor of Hawaii.

Regional Centers (4.5%) -- Five regional centers will be established to train school teams in effective approaches to drug and alcohol abuse prevention; assist State educational agencies in coordinating and strengthening programs; assist local educational agencies and institutions of higher education in developing training programs for educational personnel; and evaluate and disseminate information on effective programs and strategies.

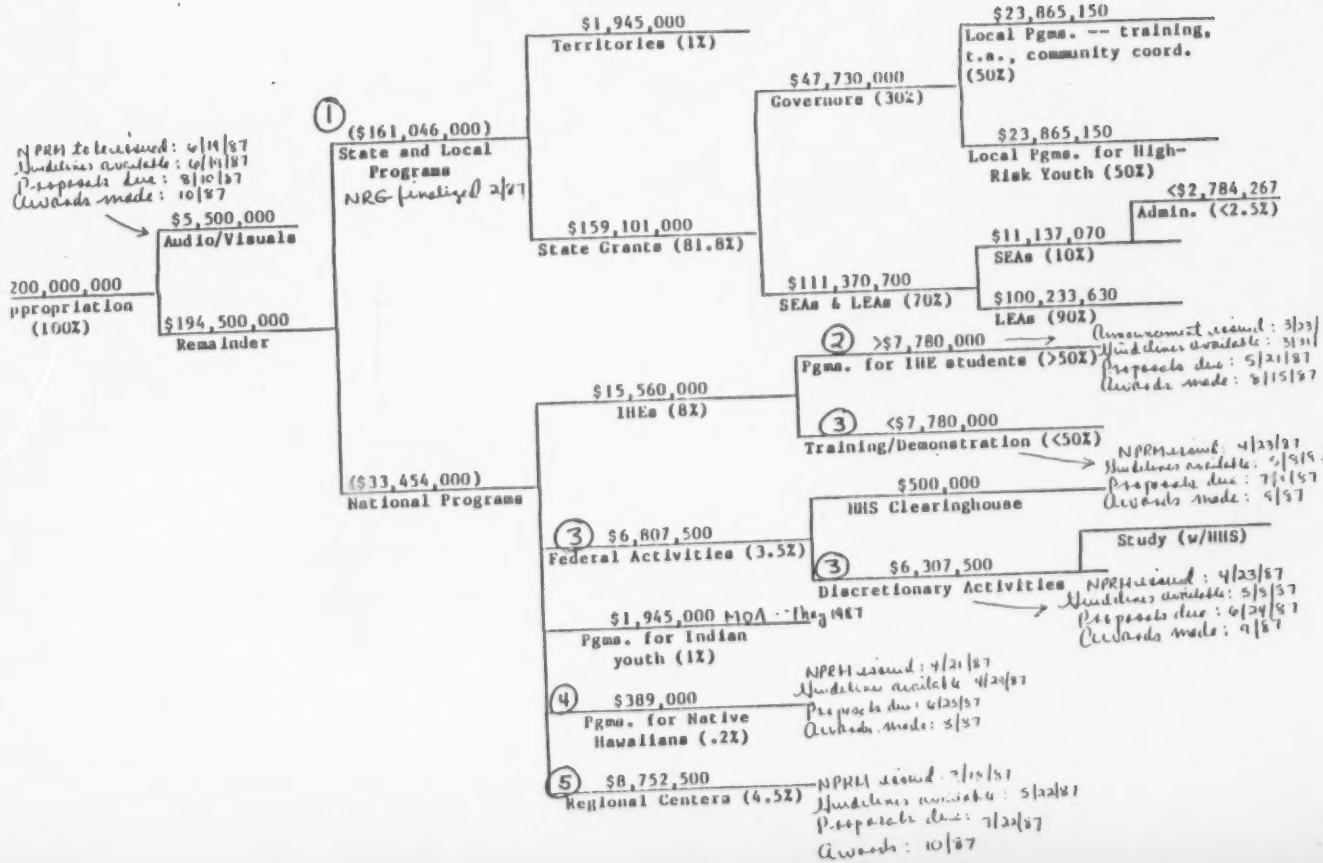
Drug-Free Schools and Communities Act of 1986

Title IV, Subtitle B, Anti-Drug Abuse Act of 1986 (P.L. 99-570)

Part 2 - State and Local Programs


U.S. Secretary of Education
Grants of Part 2 funds to State
30 percent of State grant for use by the Governor
70 percent of State grant for use by the State Educational agency (SEA)
At least 50 percent of Governor's funds must serve high-risk youth
50 percent of Governor's funds may be used for other authorized purposes
At least 90 percent of SEA's funds must be sub-granted to LEAs, IEAs, and consortia
10 percent of SEA's funds may be used for other authorized activities

Drug Free Schools and Communities Act of 1986
- 1987 Appropriation -



DRUG-FREE SCHOOLS AND COMMUNITIES ACT OF 1986
STATE GRANTS: FISCAL YEAR 1987

State	Total Allotment (100%)	Allotment for State and Local Educational Agencies (70%)	Allotment for Governor (30%)
Total	$159,101,000	$111,370,700	$47,730,300
ALABAMA	$2,760,904	$1,932,633	$828,271
ALASKA	$795,505	$556,854	$238,651
ARIZONA	$2,018,108	$1,412,674	$605,432
ARKANSAS	$1,611,093	$1,127,765	$483,328
CALIFORNIA	$15,598,768	$10,919,137	$4,679,631
COLORADO	$2,007,930	$1,405,551	$602,379
CONNECTICUT	$1,872,259	$1,310,581	$561,678
DELAWARE	$795,505	$556,854	$238,651
FLORIDA	$6,074,687	$4,252,268	$1,822,481
GEORGIA	$4,032,819	$2,822,973	$1,209,846
HAWAII	$795,505	$556,854	$238,651
IDAHO	$795,505	$556,854	$238,651
ILLINOIS	$7,478,882	$5,235,202	$2,243,680
INDIANA	$3,741,127	$2,618,789	$1,122,338
IOWA	$1,909,569	$1,336,698	$572,871
KANSAS	$1,536,474	$1,075,532	$460,942
KENTUCKY	$2,554,006	$1,787,804	$766,202
LOUISIANA	$3,225,577	$2,257,904	$967,673
MAINE	$795,505	$556,854	$238,651
MARYLAND	$2,659,151	$1,861,408	$797,745
MASSACHUSETTS	$3,401,949	$2,381,364	$1,020,585
MICHIGAN	$6,179,812	$4,325,867	$1,853,945
MINNESOTA	$2,689,877	$1,882,774	$806,903
MISSISSIPPI	$1,953,662	$1,367,563	$586,099
MISSOURI	$3,188,269	$2,231,788	$956,480
MONTANA	$795,505	$556,854	$238,651
NEBRASKA	$1,058,234	$740,764	$317,470
NEVADA	$795,505	$556,854	$238,651
NEW HAMPSHIRE	$795,505	$556,854	$238,651
NEW JERSEY	$4,639,947	$3,247,963	$1,391,984
NEW MEXICO	$1,024,318	$717,021	$307,295
NEW YORK	$10,874,028	$7,611,819	$3,262,209
NORTH CAROLINA	$4,015,861	$2,811,103	$1,204,758
NORTH DAKOTA	$795,505	$556,854	$238,651
OHIO	$7,092,200	$4,964,539	$2,127,661
OKLAHOMA	$2,170,735	$1,519,515	$651,220
OREGON	$1,709,454	$1,196,618	$512,836
PENNSYLVANIA	$7,231,262	$5,061,882	$2,169,380
RHODE ISLAND	$795,505	$556,854	$238,651
SOUTH CAROLINA	$2,289,448	$1,602,614	$686,834

DRUG-FREE SCHOOLS AND COMMUNITIES ACT OF 1986
STATE GRANTS: FISCAL YEAR 1987

State	Total Allotment (100%)	Allotment for State and Local Educational Agencies (70%)	Allotment for Governor (30%)
SOUTH DAKOTA	$795,505	$556,854	$238,651
TENNESSEE	$3,106,865	$2,174,808	$932,059
TEXAS	$11,111,452	$7,778,015	$3,333,437
UTAH	$1,421,153	$994,807	$426,346
VERMONT	$795,505	$556,854	$238,651
VIRGINIA	$3,517,270	$2,462,089	$1,055,181
WASHINGTON	$2,764,296	$1,935,007	$829,289
WEST VIRGINIA	$1,339,751	$937,826	$401,925
WISCONSIN	$3,117,040	$2,181,928	$935,112
WYOMING	$795,505	$556,854	$238,651
D.C.	$795,505	$556,854	$238,651
PUERTO RICO	$2,985,938	$2,090,157	$895,781
OUTLYING AREAS:	$1,945,000	$1,361,500	$583,500
AMERICAN SAMOA	$255,601	$178,921	$76,680
GUAM	$723,113	$506,179	$216,934
NORTHERN MARIANAS	$126,403	$89,882	$38,521
REPUBLIC OF PALAU	$103,403	$72,382	$31,021
VIRGIN ISLANDS	$734,480	$514,136	$220,344

NOTE: As a result of the change in status of the Federated States of Micronesia and the Marshall Islands, formerly part of the Trust Territory, these entities are not eligible for funding under this program. The Republic of Palau, however, continues its trust relationship with the United States and is eligible for funding.

DRUG-FREE SCHOOLS AND COMMUNITIES ACT OF 1986

	ALLOTMENT FOR SEAs & LEAs	SEA ACTIVITIES	SEA ADMINISTRATION	LEA PROGRAMS	ALLOTMENT FOR GOVERNOR	PROGRAMS FOR HIGH-RISK YOUTH
TOTALS:	111,370,700	* 11,137,085	2,784,261	100,233,630	47,730,300	23,865,150
ALABAMA	1,932,633	193,263	48,316	1,739,370	828,271	414,135
ALASKA	556,854	55,685	13,921	501,169	238,651	119,326
ARIZONA	1,412,674	141,267	35,317	1,271,406	605,432	302,716
ARKANSAS	1,127,765	112,777	28,194	1,014,988	483,328	241,664
CALIFORNIA	10,919,137	1,091,914	272,978	9,827,223	4,679,631	2,339,815
COLORADO	1,405,551	140,555	35,139	1,264,996	602,379	301,189
CONNECTICUT	1,310,581	131,058	32,765	1,179,523	561,678	280,839
DELAWARE	556,854	55,685	13,921	501,169	238,651	119,326
FLORIDA	4,252,266	425,227	106,307	3,827,039	1,822,401	911,200
GEORGIA	2,822,973	282,297	70,574	2,540,676	1,209,846	604,923
HAWAII	556,854	55,685	13,921	501,169	238,651	119,326
IDAHO	556,854	55,685	13,921	501,169	238,651	119,326
ILLINOIS	5,235,202	523,520	130,880	4,711,682	2,243,660	1,121,830
INDIANA	2,618,789	261,879	65,470	2,356,910	1,122,338	561,169
IOWA	1,336,698	133,670	33,417	1,203,028	572,871	286,436
KANSAS	1,075,532	107,553	26,888	967,979	460,942	230,471
KENTUCKY	1,787,804	178,780	44,695	1,609,023	766,202	383,101
LOUISIANA	2,257,904	225,790	56,448	2,032,113	967,673	483,836
MAINE	556,854	55,685	13,921	501,169	238,651	119,326
MARYLAND	1,851,406	186,141	46,535	1,675,265	797,745	398,872
MASSACHUSETTS	2,381,364	238,136	59,534	2,143,227	1,020,585	510,292
MICHIGAN	4,325,867	432,587	108,147	3,893,280	1,853,945	926,972
MINNESOTA	1,882,774	188,277	47,069	1,694,496	806,903	403,451
MISSISSIPPI	1,367,563	136,756	34,189	1,230,807	586,099	293,049
MISSOURI	2,231,788	223,179	55,795	2,008,609	956,480	478,240
MONTANA	556,854	55,685	13,921	501,169	238,651	119,326
NEBRASKA	740,764	74,076	18,519	666,688	317,470	158,735
NEVADA	556,854	55,685	13,921	501,169	238,651	119,326
NEW HAMPSHIRE	556,854	55,685	13,921	501,169	238,651	119,326
NEW JERSEY	3,247,963	324,796	81,199	2,923,167	1,391,984	695,992
NEW MEXICO	717,021	71,702	17,926	645,319	307,296	153,648
NEW YORK	7,611,819	761,182	190,295	6,850,637	3,262,209	1,631,104
NORTH CAROLINA	2,811,103	281,110	70,278	2,529,993	1,204,758	602,379
NORTH DAKOTA	556,854	55,685	13,921	501,169	238,651	119,326

* The total does not equal 10% because of rounding.

	ALLOTMENT FOR SEAs & LEAs	SEA ACTIVITIES	SEA ADMINISTRATION	LEA PROGRAMS	ALLOTMENT FOR GOVERNOR	PROGRAMS FOR HIGH-RISK YOUTH
OHIO	4,964,539	496,454	124,113	4,468,085	2,127,661	1,063,830
OKLAHOMA	1,519,515	151,952	37,988	1,367,563	651,220	325,610
OREGON	1,196,618	119,662	29,915	1,076,956	512,836	256,418
PENNSYLVANIA	5,061,882	506,188	126,547	4,555,694	2,169,380	1,084,690
RHODE ISLAND	556,854	55,685	13,921	501,169	238,651	119,326
SOUTH CAROLINA	1,602,614	160,261	40,065	1,442,353	686,834	343,417
SOUTH DAKOTA	556,854	55,685	13,921	501,169	238,651	119,326
TENNESSEE	2,174,805	217,481	54,370	1,957,325	932,059	466,029
TEXAS	7,778,015	777,802	194,450	7,000,213	3,333,437	1,666,718
UTAH	994,807	99,481	24,870	895,326	426,346	213,173
VERMONT	556,854	55,685	13,921	501,169	238,651	119,326
VIRGINIA	2,462,089	246,209	61,552	2,215,880	1,055,181	527,590
WASHINGTON	1,935,007	193,501	48,375	1,741,506	829,289	414,644
WEST VIRGINIA	937,826	93,783	23,446	844,043	401,925	200,963
WISCONSIN	2,181,928	218,193	54,548	1,963,735	935,112	467,556
WYOMING	556,854	55,685	13,921	501,169	238,651	119,326
D.C.	556,854	55,685	13,921	501,169	238,651	119,326
PUERTO RICO	2,080,157	209,016	52,254	1,881,141	895,781	447,890
OUTLYING AREAS:						
AMERICAN SAMOA	178,921				76,680	
GUAM	506,179				216,934	
NORTHERN MARIANAS	89,882				38,521	
REPUBLIC OF PALAU	72,382				31,021	
VIRGIN ISLANDS	514,136				220,344	

NOTE: As a result of the change in status of the Federated States of Micronesia and the Marshall Islands, formerly part of the Trust Territory, these entities are not eligible for funding under this program. The Republic of Palau, however, continues its trust relationship with the United States and is eligible for funding.

H.R. 5, SCHOOL IMPROVEMENT ACT OF 1987

-- Passed by the House on May 21, 1987, by a vote of 401-1.

-- This bill extends the authorization for the Drug-Free School and Communities Act through 1993. The Act is currently authorized through 1989.

-- The bill authorizes $250 million for the Act for 1988 and "such sums as may be necessary" for 1989 through 1993. The Act is currently authorized at $200 million for 1987, $250 million for 1988 and $250 million for 1989. The authorization ceiling was removed for 1989 and beyond so that the program would not be capped and could grow as needed.

-- The bill also includes some revisions to increase the accountability of State and local programs under the Drug-Free Schools and Communities Act. Each local school agency would be required to include in its applications for funds a description of the extent of drug and alcohol problems in its schools. Each local recipient also would have to submit a progress report to the State on the first two years of its program. If the State determines that the local recipient is not making reasonable progress toward the objectives of its drug abuse prevention plan, the State is required to provide technical assistance to the local recipient.

The amendments also require each State to submit an annual report to the Secretary of Education with information on State and local programs the State conducts under the Act.

Earlier this year, the Education Department proposed draft legislation to the Congress to improve accountability of State and local programs funded under the Drug-Free Schools and Communities Act. This legislation was introduced in the House by Rep. Bennett as H.R. 1752.

Among other things, this legislation proposed separate drug abuse prevention research authority for the Department of Education. It also required local applicants to submit with their application detailed data on drug and alcohol problems in their schools. It required local recipients to file a progress report after two years, including the extent to which there had been a reduction in substance abuse in the applicant's schools, and it authorized States to cut off a local applicant's third-year funding if the State determined that a local recipient was not making reasonable progress toward the objectives of it plan or if the recipient had not modified its plan to provide reasonable assurance of such progress.

Chairman Rangel wrote to Secretary Bennett objecting to several provisions of this legislation. He objected to the separate research authority on grounds that NIDA is the Federal Government's drug research agency, and absent some compelling reason to give the Department such authority, such a grant of authority would fragment Federal research efforts.

Chairman Rangel also objected to the extensive data collection that local schools would be required to undertake as costly and burdensome. He also opposed the authority for States to cut off funding to local applicants after two years. He said two years was not a sufficient time given that the drug abuse epidemic among students has been decades in the making. He also said that Congress intended to make a long-term commitment to drug abuse education nationally in the Drug-Free Schools and Communities Act.

Chairman Rangel's letter, and Secretary Bennett's reply of May 22, are attached. The amendments included in H.R. 5 eliminates the problems raised in Mr. Rangel's letter.

CHARLES B. RANGEL, NEW YORK
Chairman
PETER W. RODINO, JR., NEW JERSEY
FORTNEY H. (PETE) STARK, CALIFORNIA
JAMES H. SCHEUER, NEW YORK
CARDISS COLLINS, ILLINOIS
DANIEL K. AKAKA, HAWAII
FRANK J. GUARINI, NEW JERSEY
ROBERT T. MATSUI, CALIFORNIA
DANTE B. FASCELL, FLORIDA
WALTER E. FAUNTROY, DISTRICT OF COLUMBIA
WILLIAM J. HUGHES, NEW JERSEY
MEL LEVINE, CALIFORNIA
SOLOMON P. ORTIZ, TEXAS
LAWRENCE J. SMITH, FLORIDA
EDOLPHUS "ED" TOWNS, NEW YORK

U.S. House of Representatives
SELECT COMMITTEE ON
NARCOTICS ABUSE AND CONTROL
ROOM H2-234, HOUSE OFFICE BUILDING ANNEX 2
WASHINGTON, DC 20515-6425

COMMITTEE PHONE 202-226-3040

BENJAMIN A. GILMAN, NEW YORK
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EDWARD H. JURITH
STAFF DIRECTOR
ELLIOTT A. BROWN
MINORITY STAFF DIRECTOR

April 22, 1987

The Honorable William J. Bennett
Secretary of Education
400 Maryland Avenue, S. W.
Room 4181
Washington, D.C. 20202

Dear Mr. Secretary:

I am in the process of reviewing the Drug-Free Schools and Communities Act Amendments of 1987 which you have proposed and Representative Charles Bennett has introduced (H.R.1752). This legislation would amend title IV, subtitle B of the Anti-Drug Abuse Act of 1986. There are provisions in the bill about which I have some concern. I would appreciate your comments.

The Anti-Drug Abuse Act of 1986 directs the Department of Education to identify research and development priorities with regard to school-based drug abuse education and prevention. H.R. 1752 would amend section 4132 (b) (5) of the Act to permit the Department of Education to carry out research and development activities in this area, too.

The 1986 legislation reflects the view of Congress that additional drug abuse prevention and education research is needed. To achieve this objective, Congress directed the Education Secretary, in conjunction with the Secretary of Health and Human Services (HHS), to identify research priorities. This cooperation was mandated because the Department of Education is the Federal link to our nation's schools and the National Institute on Drug Abuse (NIDA), within HHS, is the Federal Government's drug abuse research agency. The Congress wanted to assure that the expertise of both agencies would be combined in a coordinated effort to develop these research priorities.

I do not understand, however, why the Department of Education is seeking authority to conduct this research. NIDA has extensive experience and expertise in all phases of drug abuse research, including drug abuse prevention and education research. The agency has a strong intramural research program and draws from a distinguished pool of researchers to carry out an ambitious extramural research effort. The additional research monies included in the Anti-Drug Abuse Act for NIDA also have stimulated increased interest in drug abuse research. NIDA is

receiving more high quality research proposals from a greater number of well-qualified researchers.

I believe NIDA is the appropriate agency to carry out drug abuse prevention and education research. To try to duplicate within the Department of Education the professional research capability of NIDA would be wasteful and could lead to a fragmented, uncoordinated Federal drug abuse research program. The Department of Education should use its special expertise on schools to work with NIDA to identify drug education research priorities, but I urge you to reconsider your request for research authority.

The proposed amendments also require local applicants to describe in detail the nature and extent of drug and alcohol abuse in their schools including: the number or percentage of students who use drugs or alcohol; the grade level of these students; the types of drugs they use; and how this information was obtained. To strengthen accountability under the Act, each local applicant would be required to submit a progress report to the State educational agency on the first two years of its plan outlining significant accomplishments and the extent to which there has been a reduction in the number of students who use drugs and alcohol. A local applicant's third-year funding would be contingent on the State agency's determination that the applicant is making reasonable progress toward achieving the goals of its plan or that the applicant has modified its plan to provide reasonable assurance of such progress.

These proposed changes raise a number of concerns. First, the type of information on student drug use an applicant would be required to submit with its application is not readily available in most local school districts. Local schools would have to collect this data.

Second, requiring local schools to collect the detailed data envisioned under the amendments would be expensive. It is quite conceivable that it would cost a local applicant more money to design a data collection instrument and collect and analyze the data than the applicant would receive under the Act. I cannot understand how the Administration can propose this requirement and at the same time recommend a 50 percent reduction in 1988 from current program funds.

Third, in addition to added costs, local applicants will confront other difficulties in gathering such data. Legal concerns may be raised about protecting the confidentiality of data collected. At a minimum, parental consent would be required to collect such data. Additional staff also would be needed to collect and analyze the data. The length of time to collect such data, particularly the initial data collection effort, could significantly delay a school's application for funding.

Fourth, the proposed legislation provides no guidance to schools as to how they should go about collecting these data.

Without any standards to follow, the information collected would not be uniform, and comparisons would be meaningless. The reliability of the data also would be extremely suspect.

In short, the benefits of the proposed data collection requirement seem marginal at best and are heavily outweighed by the costs. Rather than facilitating the establishment of school-based drug abuse education programs, this requirement would be more likely to deter schools from applying for Federal assistance.

The data collection problems are compounded by the apparent intent to make a local applicant's continued eligibility for Federal funds contingent primarily upon a showing of decreased student drug use. Even if such data could be collected, two years is not adequate to establish trends. More importantly, when Congress passed the Drug-Free Schools and Communities Act of 1986, it recognized that the epidemic of student drug abuse in this country has been decades in the making and will not be reversed in one, two, or even three years. The funding Congress provided last year for drug abuse education is only an initial commitment. If we are to have any hope of changing student attitudes and drug-taking behavior, we must be prepared to make a continuing, long-term drug abuse prevention and education effort in our schools.

I share your desire to make schools accountable for the effectiveness of their programs. If we are to hold them strictly accountable, however, we need to provide them with effective models. I believe the Department of Education has a strong responsibility to identify and develop specific curricula and other programs that work, to disseminate these models to State and local school agencies, and to provide the technical support and assistance for schools to implement these strategies. We need a positive, not a punitive, approach to drug abuse education.

I look forward to your reply.

Sincerely,

CHARLES B. RANGEL
Chairman

UNITED STATES DEPARTMENT OF EDUCATION
THE SECRETARY

MAY 22 1987

Honorable Charles B. Rangel
Chairman
Select Committee on Narcotics
Abuse and Control
U.S. House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

I am writing in response to your letter of April 22 which raised a number of questions related to the Administration's proposed "Drug-Free Schools and Communities Act Amendments of 1987," introduced as H.R. 1752. That proposal would make several amendments to the "Drug-Free Schools and Communities Act,"("Act") enacted last fall by P.L. 99-570, designed to make technical corrections and improve program operations. As you know, Mr. Chairman, eliminating the scourge of drugs from our schools has been one of my chief concerns as Secretary of Education. The Department's legislative proposal is intended to assist in that endeavor, and, if enacted, I believe it would do so.

Your letter raises two principal questions. First, you question why, in addition to identifying research priorities as provided in current law, the Department is seeking the authority to carry out research on school-based drug education and prevention activities. You point out that the National Institute on Drug Abuse (NIDA) is well-qualified to sponsor such research and that the Act requires the Department to coordinate with the Secretary of Health and Human Services in carrying out Federal activities under the Act. Our proposal is not intended to, and does not limit in any way the capacity of NIDA to carry out fruitful research on such school-based activities. Neither is this proposal intended to authorize duplicative research and development activities. The Department is committed to working closely with NIDA to ensure that such activities are coordinated and complementary and that Federal funds are used to the best advantage. Indeed, the Department has already worked closely with NIDA to develop a research agenda. The fact remains, however, that in addition to identifying research priorities, the Department is also capable of supporting valuable research on school-based activities in concert with NIDA. Moreover, our proposal also clarifies the Department's authority to carry out needed school-based "development" activities, in addition to identifying such development priorities, as stated in the current law. For

example, the Department has already distributed more than 1.4 million copies of Schools Without Drugs and its practical guidance for combatting student drug abuse to school administrators, teachers, and parents across the country. In short, I believe your fear that the Department's activities in this area will displace NIDA, or lead to a fragmented research and development program is misplaced. Both the Department and NIDA have important strengths which the Administration's proposal is designed to help us utilize fully.

Second, you question the wisdom of certain proposed amendments to the State program designed to improve the quality and accountability of local programs. As your letter points out, local project applications would be required to describe the extent and nature of the drug and alcohol problem in the applicant's schools, including the number and percentage of students who use drugs or alcohol, their grade level, the type of drugs used, and how the information was obtained. Also, local recipients would be required to submit to the State a progress report on the first two fiscal years of the local project. Third year funding would be made contingent upon the State's determination that the local recipient is making reasonable progress in achieving program objectives, or, if not, that the project has been appropriately modified so as to hold out reasonable promise of doing so. You object to these provisions because of the alleged burden and cost of collecting such data and because you believe it unrealistic to expect that local recipients will be able to demonstrate decreased student drug use in two fiscal years. These concerns are understandable, but our proposals were drafted so as to eliminate, as far as possible, the dangers to which you refer.

I believe that the strengthened application requirements in our proposal will increase the effectiveness of local programs by enhancing both the quality of program planning and accountability. These requirements make it necessary for local applicants to confront what they know and do not know about drug and alcohol problems in their schools -- information that is essential for forming effective drug and alcohol prevention programs. More importantly, they will significantly enhance the ability of States to provide technical assistance in the design of programs and to evaluate the quality of local applications. In addition, they will help to ensure the existence of the information needed to judge the effectiveness of individual local programs. The application requirements do not require local applicants to engage in data collection activities if adequate information is already available for program planning purposes; if such information is already at hand, an applicant need only include it in the application. On the other hand, if adequate information is not already available, I believe these application requirements, sensitively applied, will materially increase the

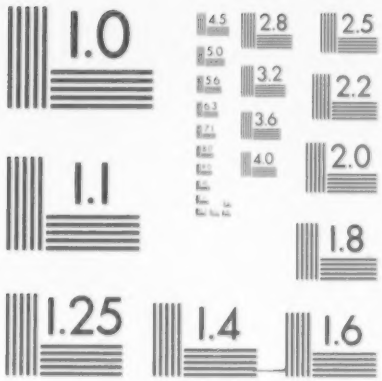
quality of local planning and programs while imposing minimal costs and burdens upon local applicants. Several inexpensive means of assessing student drug use are described in Schools Without Drugs, and specific inexpensive assessment instruments are also available.

Finally, I firmly believe that continued funding should be contingent upon demonstrated results. I do not expect that drug abuse will be eradicated from our schools in the next two years, and our proposal contemplates no such unrealistic goal. However, we will not solve the drug abuse problems of our schools merely by spending money; we must insist upon a reasonable return for our efforts. Requiring local recipients to document reasonable progress towards meeting the objectives of the State program (or appropriate changes in project design if such progress cannot be identified) is not too much to ask.

I appreciate your continuing interest in the Department's administration of programs under the Drug-Free Schools and Communities Act and look forward to appearing before the Select Committee on June 9th.

Sincerely,

William J. Bennett



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